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NOMINATION OF WILBUR L. ROSS, JR., TO BE SECRETARY OF THE DEPARTMENT OF COMMERCE

HEARING

BEFORE THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

JANUARY 18, 2017

Printed for the use of the Committee on Commerce, Science, and Transportation



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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

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NOMINATION OF WILBUR L. ROSS, JR., TO BE SECRETARY OF THE DEPARTMENT OF COMMERCE

WEDNESDAY, JANUARY 18, 2017

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Committee met, pursuant to notice, at 10:03 a.m. in room SD–G50, Dirksen Senate Office Building, Hon. John Thune, presiding.

Present: Senators Thune [presiding], Nelson, Cantwell, Blunt, Klobuchar, Sullivan, Blumenthal, Heller, Wicker, Schatz, Gardner, Peters, Cortez Masto, Johnson, Hassan, Udall, Lee, Young, Duckworth, Booker, Cruz, Baldwin, Moran, Capito, Inhofe, Markey, and Fischer.

OPENING STATEMENT OF HON. JOHN THUNE, U.S. SENATOR FROM SOUTH DAKOTA

The CHAIRMAN. Good morning. We are meeting today to consider the nomination of Mr. Wilbur Ross to be the next Secretary of Commerce. If confirmed, Mr. Ross would bring decades of business, entrepreneurial, and civic experience to this important position.

Mr. Ross is perhaps best known for his expertise in revitalizing distressed businesses, such as those in the United States steel industry. At a time when most inventors had abandoned the industry—investors I should say had abandoned the industry, he organized International Steel Group in 2002 and, through acquisitions, made it the largest integrated steel company in North America. Later, it merged with Mittal Steel to form the largest steel company in the world.

Mr. Ross's strong record of achievement in business led *Bloomberg Businessweek* to name him one of the 50 Most Influential People in Global Finance in 2011. It's also why he is the only person elected to both the Turnaround Management Hall of Fame and the Private Equity Hall of Fame.

Mr. Ross's business experience is complemented by his service to the community. Mr. Ross served as a First Lieutenant in the U.S. Army, and he is currently a Member of the Dean's Advisory Board of Harvard Business School. He is also an Advisory Board Member of the Yale University School of Management, which has presented him with its Legend of Leadership Award.

Mr. Ross's nomination comes at an important time in our Nation's economic recovery. I believe his extensive management expe-

rience in the private sector, and his understanding of the challenges faced by workers and businesses alike, will equip him well for the job of leading the Department of Commerce.

This large department, which has 12 different bureaus and nearly 47,000 employees located in all 50 states and around the world, oversees a diverse array of issues, from trade to fishery management, and from weather forecasting to the Census Bureau.

I will be asking Mr. Ross about many of the challenges facing the Department and our economy. First and foremost, I will be asking how he plans to deal with trade matters as the Secretary of Commerce.

I also want to explore how, if confirmed, he would continue to play a lead role in advocating for policies that promote American innovation, like freeing up government spectrum for private use and facilitating the growing Internet of Things.

Mr. Ross's experience turning around businesses should help him anticipate and mitigate the risks of major programs like FirstNet, the independent authority charged with creating a nationwide broadband network for first responders, and the acquisition of critical weather satellites by the National Oceanic and Atmospheric Administration.

Finally, I would note that collaboration between the public and private sectors is one of the hallmarks of the Department's work, as exemplified by the ongoing development of cybersecurity best practices and standards, which this Committee has strongly endorsed.

Mr. Ross, should you be confirmed, we will be depending on you to continue this collaboration and strengthen it where necessary.

Mr. Ross, I believe your business know-how and intelligence make you an excellent candidate to serve as the next Secretary of Commerce, and I look forward to supporting your nomination.

I want to turn now to our Ranking Member, the distinguished Senator from Florida, Senator Nelson, for any opening remarks that he would like to make.

STATEMENT OF HON. BILL NELSON,
U.S. SENATOR FROM FLORIDA

Senator NELSON. Thank you, Mr. Chairman.

Mr. Wilbur Ross and Hilary Ross, we welcome you both to the Committee. I want to congratulate you on your nomination. You and, interestingly, the incumbent, Secretary Pritzker, have some of the most extensive financial holdings of any nominees who have appeared before this Committee. After reviewing your financial disclosure and ethics agreement, it's my understanding that you have agreed to divest the vast majority of your personal holdings and resign from nearly 50 boards and organizations. I believe that's the right thing to do, and it tells me that you are committed to doing the job the right way by placing the public's interest ahead of your own. It's my hope that President Trump will follow your lead and the example that you set to eliminate any business dealings that could pose potential conflicts of interest.

Now, in recent years, the Commerce Secretary post has not been one of the most sought after or one of the most appreciated posi-

tions in Washington, but I have a feeling that that's about to change in a big way.

As the President-elect has indicated, he is going to look to you to help lead the Administration's trade agenda. That's a departure from past Commerce Secretaries and the role that they played, which was much smaller in setting U.S. trade policy. Given that expanded role and the incoming President's desire to make job creation and overhauling trade deals top priorities, I hope that we'll hear from you today, as the Chairman has already indicated, on the administration's trade plans and how you hope to create jobs that will benefit all Americans.

I would like for you to tell us more about how your trade duties might expand and how this could impact the role of the U.S. Trade Representative, who traditionally has taken the lead on trade negotiations.

And while we're on the topic of protecting American workers, there has been some negative commentary on how you built your business empire by buying and selling troubled companies. Others have lauded you for saving companies and thousands of jobs. I think it would be most helpful to all of us on the Committee if we could get an assessment from you on your record of job creation and what lessons you've learned that will help you grow the economy and protect American workers.

Now, while I expect a good portion of today will be spent talking about trade and jobs and your experience, there is a lot more to the Department of Commerce. This Department, of some 40,000 employees, impacts our daily lives in a a number of ways: providing vital weather forecasts to millions of Americans through NOAA and the National Weather Service, playing a huge role in building out our Nation's digital infrastructure, helping grow and expand minority-owned businesses, collecting all sorts of data, including data critical to jobs and the economy, as well as monitoring environmental conditions and climate change.

And that brings me to one of my last topics and one that is especially important to, Mr. Ross, your state of Florida, that is, sea level rise and global warming. Florida has over 20 million people and 75 percent of them live on the coast, including the two of you. The state's highest point is only 345 feet. That, by the way, a piece of trivia, in the Peninsula State, is a position in the middle of the state where Bok Tower at Lake Wales is located.

Because of the work of NOAA and NASA and other agencies, we have measurements and forecasts that can tell us when a monster storm is coming. And we also have the science to know that coastal communities face peril even on sunny days because of the long-term atmospheric trends. Scientifically accurate data from weather satellites shows that this is, in fact, happening. And the problem is that some folks will go to any lengths to deny this truth, including gagging climate scientists. Now, that shouldn't happen and that should be troubling to all of us.

So given your personal experience of being a Floridian, I hope that you will agree on the need to continue vital scientific research to inform the public about extreme weather events and trends over time. And it's my hope that we'll get a commitment from you to not

allow intimidation or censorship of climate scientists under your jurisdiction.

And with that, Mr. Chairman, I see my colleague, my fellow Floridian, Senator Rubio. He has come back to the Committee, and I know you are going to introduce him. I'm looking forward to having him formally introduce our nominee.

[The prepared statement of Senator Nelson follows:]

PREPARED STATEMENT OF HON. BILL NELSON, U.S. SENATOR FROM FLORIDA

Mr. Ross, as a fellow Floridian, I'd like to welcome you here and congratulate you on your nomination.

I can't promise you today's hearing will be a piece of cake, but I'm looking forward to having a comprehensive and cordial discussion about your qualifications and how, if confirmed, you might handle many of the pressing issues you could face.

I'd like to start by acknowledging that it's no secret you have some of the most extensive financial holdings of any past or present nominee before this committee. After reviewing your financial disclosure and ethics agreement, I want to note that it's my understanding that you have agreed to divest the vast majority of your personal holdings and resign from nearly 50 boards and organizations. I believe that was the right thing to do and tells me you're committed to doing the job the right way by placing the public's interests ahead of your own.

It's my hope President Trump will follow your lead to eliminate any business dealings that could pose potential conflicts of interest.

Mr. Ross, in recent years the Commerce Secretary post has not been one of the most sought after or appreciated positions in Washington. But I have a feeling that's about to change in a big way.

As the President-elect has indicated, he is going to look to you and Secretary of State nominee Rex Tillerson to lead the administration's trade agenda. That's a departure from the recent past when previous commerce secretaries played much smaller roles in setting U.S. trade policy.

Given that expanded role and the incoming president's desire to make job creation and overhauling trade deals top priorities, I hope we'll hear more from you on the administration's trade plans and how they will create jobs and benefit all Americans.

Additionally, I'd like for you to tell us more about how your trade duties might expand and how this could impact the role of the U.S. Trade Representative, who traditionally has taken the lead on trade negotiations.

And while we're on the topic of protecting American workers, Mr. Ross, there's been some who have suggested that you built your business empire on the backs of workers who lost their jobs after buying and then ultimately profiting from the sale of troubled companies. Others have lauded you for saving companies and thousands of jobs.

I think it would be most helpful to all of us on the Committee if we could get an assessment from you on your record of job creation and what, if any, lessons you've learned that will help grow and protect American workers.

While I expect a good portion of today will be spent talking about trade, jobs and Mr. Ross' experience, there's lots more to the Department of Commerce.

This little department of some 47,000 employees impacts our daily lives by:

- Providing vital weather forecasts to millions of Americans though NOAA and the National Weather Service;
- Playing a huge role in building out our Nation's digital infrastructure;
- Helping grow and expand minority owned businesses; and,
- Collecting all sorts of data—including data critical to jobs and the economy, as well as monitoring environmental conditions and climate change.

That brings me to my last topic and one especially important to Florida—sea level rise and global warming.

Of Florida's 20 million people, over 75 percent live in coastal counties, including Mr. Ross. The state's highest point is only 345 feet above sea level.

Because of the work NOAA and other agencies are doing, we have measurements and forecasts that can tell us when a monster storm is coming.

We also have the science to know that coastal communities face peril even on sunny days because of longer-term atmospheric trends.

I know some people think climate change is a hoax.

But the data—scientifically accurate data—from weather satellites shows that it is happening.

The problem is that some folks will go to any length to deny this truth, including gaging climate scientists. That should be very troubling to us all.

So, Mr. Ross, given your personal experience of living in Florida, I hope you agree with me on the need to continue vital scientific research to inform the public about extreme weather events and trends over time. Additionally, it's my hope we'll get a commitment from you to not allow intimidation and censorship of climate scientists under your jurisdiction.

With that Mr. Chairman, I'd like to welcome my colleague and fellow Floridian, Senator Marco Rubio, back to the Committee to introduce Mr. Ross.

The CHAIRMAN. Thank you, Senator Nelson.

We are very privileged to have Senator Rubio here, your colleague from Florida, and our colleague in the U.S. Senate, to introduce Mr. Ross.

And so I welcome you back to the Committee, Senator Rubio, and please proceed with your remarks.

STATEMENT OF HON. MARCO RUBIO,
U.S. SENATOR FROM FLORIDA

Senator RUBIO. Thank you, Mr. Chairman. I must say to the Members, you guys look different from this side of the dais.

[Laughter.]

Senator RUBIO. But anyway, thank you. I appreciate the honor of being here, Mr. Chairman. I'm honored to be here to introduce Wilbur Ross, who is a fellow Floridian, and he is President-elect Trump's nominee for Secretary of Commerce. I also want to thank you and Senator Nelson for allowing me this honor, especially as you said, I enjoyed serving on this Committee for the past 6 years.

So to say that Mr. Ross has extensive business experience and extensive experience working in the private sector I believe is quite an understatement. For more than half a century now, there is virtually no part of the American economy in which he has not created jobs. This includes industries such as airlines and apparel, auto parts, banking, beer, chemicals, credit cards, electric utilities, food service, furniture, home building, insurance, marine transport, mortgages, oil and gas, railcar manufacturing and leasing, real estate, restaurants, shipyards, steel, textiles, and trucking.

In all, Mr. Ross has been Chairman or Lead Director of more than 100 companies operating in more than 20 different countries. And he would bring this real-world experience to a department whose mission is fundamentally about expanding opportunity for American entrepreneurs and workers all over the world.

Despite his professional commitments in the private sector, Mr. Ross has also devoted time to public service, answering the call from leaders in both parties.

All-in-all, Mr. Ross will bring an important perspective to major policy debates we need to have. This includes modernizing our tax codes, strengthening our economy, empowering entrepreneurs and small businesses, increasing wages for hard-working families, and ensuring a fair and competitive playing field when it comes to selling American products and services to the rest of the world. I am confident that Mr. Ross will serve this Nation admirably, and I am proud to introduce him to the Committee here today.

And I thank you, Mr. Chairman, and I thank the Ranking Member.

The CHAIRMAN. Thank you, Senator Rubio.

I want to ask Mr. Ross, please come forward and take the witness stand, and we'll look forward to hearing directly from you.

I see you're surrounded by Floridians today, Senator Nelson. And I know that there are many of Senator Klobuchar's and my constituents who end up being part-time constituents of yours this time of the year in Florida.

Senator NELSON. And eventually they become full-time.

[Laughter.]

Senator NELSON. And, Mr. Chairman, we are looking forward to hosting you in Florida, as you so graciously hosted me in South Dakota. So, too, we're going to show you the amazing River of Grass, the Everglades.

The CHAIRMAN. Thank you. And thank you for doing it in February.

[Laughter.]

The CHAIRMAN. Mr. Ross, please proceed. Welcome.

STATEMENT OF WILBUR L. ROSS, JR., TO BE SECRETARY OF THE DEPARTMENT OF COMMERCE

Mr. ROSS. Thank you, Mr. Chairman, Ranking Member Nelson, and Members of the Committee. I am very grateful for the opportunity to appear before you today. As a proud resident of Florida, I would also like to thank Senator Marco Rubio for his kind introduction.

With me today is my wife, Hilary Geary Ross.

Since President-elect Trump announced my nomination, I've had the opportunity to meet with many of you. In our meetings, I've heard firsthand how we can work together to the benefit of the American people. These meetings have been helpful to me, and I look forward to continuing the dialogue.

I may be the only nominee ever for Commerce Secretary who actually worked as a Census taker. When I was working my way through Harvard Business School, I was a Census taker, what they more technically call an enumerator, in the Scollay Square area of Boston. And that task was quite fascinating in that they had me wear a big white belt, it ran diagonally from the shoulder to the waist, and then a big white one around the waist, and a big kind of school patrol badge, and then we had to talk our way into people's households to get them to let us take the Census. So I have firsthand expertise in that, and I can appreciate the enormity of the task for the 2020 Decennial Census.

I've also been, over the years, a very large consumer of various forms of data put out by different departments of the Department of Commerce: census data, BEA data, data from NOAA. All kinds of information have come out, and I believe it's the case that the Commerce Department emits 40 percent of all the data to the public that comes out of all of the departments combined. So that's a huge task. Getting it right, getting it timely, is a big challenge and one that we will work a lot on.

Another very, very important function, of course, is spectrum. We need more spectrum in the private sector. And I will try my best

to help convince those government agencies that have spectrum and don't really need it to permit it to be commercialized, and that may very well be a help toward extending broadband to some of the more rural communities and other segments that are underserved right now.

I have some firsthand experience there in that I have been Vice Chair of my community in southern Florida that's in the process of undergrounding its utilities to bring fiber optic service and 21st century service throughout the community, and also to protect us better against the exigencies of weather, which, as Senator Nelson and Senator Rubio pointed out, is a big threat in southern Florida.

Weather sensitivity is something that comes to you naturally if you're in Florida. Hilary and I live right on the water there, and so we're well aware of the importance of timely warning of impending hurricanes. And I'm also aware that until NOAA has been launching its new series of satellites, there had been an inferiority of our weather forecasting relative to what was done in Europe and in Japan. As far as I can tell, the new sensing devices will more than bring us up to equal and probably ahead of the others.

Southern Florida also is characterized by very great importance of fishing and tourism, and if there is one consistent message I got as I met with the various Members of the Committee, it's just how important fishing is. I didn't really understand quite how intricate an industry it is. I think I now have some fundamental grasp of it and its importance.

One of the things I would like to try to help correct is we, believe it or not, have a trade deficit in fishing of some $11 billion a year. Given the enormity of our coastlines, given the enormity of our freshwater, I would like to try to figure out how we can become much more self-sufficient in fishing and perhaps even a net exporter of fishing.

As to trade, over the years, I've had businesses that actually operated in some 23 countries. For the most part, our businesses have been domestic, but we have been on the ground in all of the major trading partners of this country. As a result, we know directly both what's good and a lot of the things that are not so good about the trade policies of many of these other countries.

I am not anti-trade, I am pro-trade, but I'm pro-sensible trade, not pro-trade that is to the disadvantage of the American worker and the American manufacturing community.

I think we should provide access to our markets to those countries who play fair, play by the rules, and give everybody a fair chance to compete. Those who do not should not get away with it, they should be punished, and severely.

I think that we cannot afford trade that is inherently bad for American workers and for American businesses, but I think there are plenty of opportunities to expand our exports, and I think the number one objective will be expanding our exports. I think that there are many things that we can do that we haven't been doing, and I look forward to discussing some of those as we get into more detailed questions.

Very recently, the President-elect has convened meetings with various of the high-tech executives, and I've been impressed to learn from them how similar the problems they face with the pro-

tectionism and a variety of other countries to the problems that manufacturing businesses face. So while the exact implementation of the improper things is not the same, the general direction is the same, trying to thwart American progress. That's something we need to try to fix.

There are many, many more functions that the Commerce Department has, but in the limited time of introductory remarks, I think I'll stop there and hopefully deal with the others during the question and answer period.

So I thank you again for having me here today.

[The prepared statement and biographical information of Mr. Ross follow:]

PREPARED STATEMENT OF WILBUR L. ROSS, JR., NOMINEE FOR SECRETARY, UNITED STATES DEPARTMENT OF COMMERCE

Mr. Chairman, Ranking Member Nelson, and members of the Committee, thank you for the opportunity to appear before you today. As a proud resident of Florida I am honored by the presence of both of my home State Senators, and I would also like to thank Senator Marco Rubio for his kind introduction.

With me today is my wife, Hilary Geary Ross.

Since President-elect Trump announced my nomination, I've had the opportunity to meet with many of you. In our meetings, I've heard firsthand how we can work together on behalf of the American people. These meetings have been helpful to me. I look forward to our continued dialog.

Mr. Chairman, I am honored to be under consideration for Secretary of the United States Department of Commerce. I'm particularly interested in the Department of Commerce for several reasons.

First, I may be the only nominee for Secretary of Commerce that was a U.S. Census Taker. I was working my way through Harvard Business School and that was one of the jobs that I had during college. At that time, we would put on the big white sash along with a badge and we would visit individual homes and record information for the Census. I was assigned to Scollay Square in Boston. We had to convince people through a small opening of the door that we were helping record an accurate count. So I have some personal experience with the Census—a very important function within the Department of Commerce.

Second, like many other business people across the United States, I have been a consumer of the data and information the Department provides an a periodic basis. Data the Department gathers and makes public, such as the Census data, the data that the BEA puts out and NOAA's reports, to name a few, are essential functions. I believe there is greater potential in the breadth and the depth of the data the Department provides to encourage new investment.

Third, in terms of telecommunications, the Department auctions spectrum and helps bring access to broadband to communities nationwide. In some small way I have direct experience with broadband deployment. Before this nomination, I was the Vice Chair of the Utilities Undergrounding Task Force where I live in Southern Florida. The Task Force is eager to move to fiber optics and telecommunications to our community. In order to do so the Task Force had to do it in way that was not damaging to the Everglades.

That brings me to NOAA. Living on the coast in Southern Florida, we are all very sensitive to weather because of the yearly hurricane season. So weather information is critical to us, like so many communities across the United States. I am also well aware of the importance of the fishing industry and tourism to coastal economies, so I am looking forward to the individual issues on those matters that fall within the jurisdiction of the Department of Commerce.

And then there is trade. I've made my livelihood for over five decades dealing in international commerce. My companies have operated on the ground in some 23 countries around the world. Sometimes those operations have progressed happily, sometimes a lot less happily.

I've also been in the middle of complicated situations in our domestic manufacturing sector and being subjected to some of the bad trade activities of other countries, both in terms of non-tariff trade barriers that some countries impose on us and state subsidies of foreign exports coming into the United States. I think I've probably had more direct experience than any prior Cabinet nominee has had with unfair trade in the steel business, in the textile business, in the auto parts business

and other sectors. I am very well aware of the issues many companies face and I'm sensitive to both the issues abroad and the issues here at home.

While I have worked with many people across many lands, the thing I'm proudest about in my whole career is working with Leo Gerard, the President of the United Steel Workers of America, and other unions in saving the American steel industry. Working together we were able to save thousands of jobs and ensure this important industry continued in the United States.

I also understand that at the end of the day, each of our trading partners want access to our market. The United States should provide that access to nations who agree to play by our standards of fair trade. We should not put up with malicious trading activities, state owned enterprises, or subsidized production.

So I am not anti-trade. I am pro trade. But I am pro sensible trade, not trade that is detrimental to the American worker and to the domestic manufacturing base.

During these past few weeks, President-elect Trump has met with many business leaders from across many industries. I have attended many of the meetings. One of the meetings was with leaders from the tech industry. I was amazed how similar the problems they are facing, both in terms of trying to compete in foreign jurisdictions and competition coming in from abroad, are to the problems faced by more traditional industries like steel and textiles. The techniques and products of the tech industry are different but the nature of the adverse trade activities they face are very similar to those experienced by the industries I've worked in for many years.

The Department serves many more functions, and I very much look forward to helping the American entrepreneur, the American worker, and American companies both big and small drive this economy forward and to create jobs.

I want to thank my wife for supporting my decision to enter public service, and to thank you once again for the opportunity to be here in front of this Committee. If confirmed I look forward to working with you and with the many dedicated public servants at the Department of Commerce.

I look forward to your questions.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Wilbur Louis Ross, Jr.
2. Position to which nominated: Secretary of Commerce.
3. Date of Nomination: November 30, 2016.
4. Address (List current place of residence and office addresses):

Residence: Information not released to the public.
Office: 1166 Avenue of the Americas; 25th Floor, New York, NY 10036.

5. Date and Place of Birth: November 28, 1937; Weehawken, NJ.
6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Spouse: Hilary Geary Ross, Writer, Home.

Children: Jessica Colby Ross, 55; Amanda Colby Ross, 51.

Stepchildren: Alfred Harrison Geary II, 42; John White Geary III, 39.

7. List all college and graduate degrees. Provide year and school attended.

Bachelor of Arts, Yale University, 1959.
Master of Business Administration, with distinction, Harvard University, 1961

8. List all post-undergraduate employment, and highlight all management level jobs held and any non-managerial jobs that relate to the position for which you are nominated:

Date	Company	Position
2000 to present	WL Ross & Co. LLC	Chairman and Chief Strategy Officer
1997–2000	Rothschild Recovery Fund	Chairman, Chief Investment Officer
1996–98	New Communication Inc.	CEO

Date	Company	Position
1976–2000	Rothschild, Inc. and its predecessor. New Court Securities Corp.	Executive Managing Director
1964–76	Faulkner Dawkins & Sullivan Securities Corp.	President
1964–66	Winthrop de Vegh Management Company	Research Analyst
1964–66	Wood Struthers & Winthrop	Research Analyst
1964–66	De Vegh International Corp.	Vice President
1961–63	U.S. Army Adjutant General Corps, Fort Benjamin Harrison & Fort Dix	Served to First Lieutenant

9. Attach a copy of your resume.

Please see Attachment 1 attached.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.

Government Entity	Position
Town of Palm Beach—Board of Trustees of Retirement System	Chairman
Town of Palm Beach—Board of Trustees of Retirement System	Trustee
Town of Palm Beach—Fire Fighters Retirement Fund	Trustee
Town of Palm Beach—Utilities Underground Task Force	Vice Chairman

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

Please see Attachment 2 attached.

12. Please list each membership you have had during the past ten years or currently held with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap.

Please see Attachment 3 attached. No such club or organization listed therein restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap.

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debet, the amount, and whether you are personally liable for that debt.

No.

14. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $500 or more for the past ten years. Also list all offices you have held with, and services rendered to, a state or national political party or election committee during the same period.

Please see Attachment 4 attached.

15. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

- Fifty Most Influential People in Global Finance, Bloomberg (2015)
- Elected to Private Equity Hall of Fame
- Elected to Turnaround Management Association Hall of Fame (2013)
- Awarded medals by the governments of the Republic of Korea and Japan
- Awarded Businessman of the Year by Florida Trend
- Chairman of Marquis Who's Who

16. Please list each book, article, column, or publication you have authored, individually or with others. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

Since entering the workforce in 1963, I have participated regularly as a speaker in industry and other events relevant to my professional career. Attachment 5 attached includes the speeches over the past ten years that I have been able to identify from my records and electronic searches, as well as books, articles, and other publications.

17. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

Date	Committee	Subject Matter
January 30, 1990	House Committee on the Judiciary	Leveraged Buyouts and Bankruptcy
February 29, 1006	House Committee on Transportation and Infrastructure	Reauthorization of Airport Improvement Act
March 10, 2004	House Committee on Small Business	Spike in Metal Prices: What Does it Mean for Small Manufacturers

18. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

Over the past 55 years, I have participated as an owner, lead director, or chairman of over 100 different businesses, providing me with a deep understanding of what makes a successful, job-creating enterprise. I have experienced first-hand both the power of innovative technologies to propel U.S. companies to be industry leaders, as well as the job dislocation that can result from these advancing technologies, especially for workers in manufacturing and natural resource industries. I am fully familiar with the challenges of global competition. I am particularly well-versed in the problems of manufacturing industries that are confronting a quickly changing competitive landscape—and with successful strategies for revitalizing them. I am proud of my contributions to help rescue failing firms in the automotive, steel, and textile industries.

I have broad international business experience, some of it quite unusual and instructive. In addition to my involvement in the purchasing of failed U.S. financial institutions from the Federal Deposit Insurance Corporation, I have negotiated the acquisition of troubled financial institutions with the governments of Japan, the Republic of Korea, the United Kingdom, Ireland, Greece, and Cyprus.

Other experiences involving public/private partnerships include my work as privatization advisor to New York Mayor Giuliani, and service on the Board of the U.S.-Russia Investment Fund during the administration of President Clinton.

The opportunity to serve as Secretary of Commerce would present a welcome new challenge for me: How to apply the sum of my decades of experience to spark innovation and to ensure effective implementation of the Dcpm1ment's programs in support of the great task before us: Creating strong economic growth, good jobs and, most importantly, a shared belief that every American will have abundant opportunities to achieve financial stability and personal happiness.

19. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

Based on the Inspector General's report, the Department failed to achieve targets for 5 of its 24 tasks, and in some cases this failure has continued for multiple years. Correcting these shortfalls will be a priority. Among many other critical tasks requiring dedicated management attention will be the preparation for and implementation of an efficient and accurate 2020 Census that utilizes sophisticated technologies where possible; launching three more NOAA satellites; and shortening the lead time and increasing the depth and breadth of information generated by the Department's vast number of users. As explained in my response to question 18, I believe that my management experience gained over the past 55 years involving the

most challenging business matters will enable me to lead the Department effectively.

20. What do you believe to be the top three challenges facing the department/agency, and why?

I believe that the top three challenges facing the Department are:

- Increasing the Department's responsiveness to the needs of the Committee and the user universe;
- Expanding U.S. exports and reducing the U.S. trade deficit; and
- Integrating technology into the Department to improve efficiency as well as the timelines, depth, and breadth of data, while improving the protection of intellectual property created in this country.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

I have an Individual Retirement Account (IRA) and participate in a 40l(k) Plan. Please see also my response to Question E7.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain.

No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

In connection with the nomination process, I am consulting with the Office of Government Ethics and the Department of Commerce's designated agency ethics official to identify any potential conflicts of interest, including any potential conflicts that may arise in connection with my retained investments. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement into which I will enter with the Department's designated agency ethics official and will provide to this Committee. I am not aware of any potential conflicts of interest other than those that will be the subject of my ethics agreement.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

In connection with the nomination process, I am consulting with the Office of Government Ethics and the Department of Commerce's designated agency ethics official to identify any potential conflicts of interest, including any potential conflicts that may arise in connection with my retained investments. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement into which I will enter with the Department's designated agency ethics official and will provide to this Committee. I am not aware of any potential conflicts of interest other than those that will be the subject of my ethics agreement.

5. Describe any activity during the past ten years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

I recall expressing support to Members of Congress and the Administration for the Car Allowance Rebate System (CARS) program, although I do not recall specific activities regarding that program. I do not recall any other active support during the past to years for other specific legislative or policy initiatives.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

In connection with the nomination process, I am consulting with the Office of Government Ethics and the Department of Commerce's designated agency ethics official to identify any potential conflicts of interest, including any potential conflicts that may arise in connection with my retained investments. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement into which I will enter with the Department's designated agency ethics official and will provide to this Committee. I am not aware of any potential conflicts of interest other than those that will be the subject of my ethics agreement.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

Yes. In September 1991, I was stopped in Southampton, New York, for a traffic violation, and subsequently charged with driving while ability impaired by alcohol (DWAI). In November 1991, I paid a fine of approximately $400, and my license was suspended for 90 days.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a pm1y in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

Yes, please see Attachment 6 attached. In addition, I have been associated with a number of corporations and other entities and, from time to time, such entities (including, in some instances, their directors, officers and employees) in the ordinary course, have been involved in judicial or regulatory proceedings relating to their businesses.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere)* of any criminal violation other than a minor traffic offense? lf so, please explain.

Yes. Please see my answer to Question C.2, above.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain. No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination.

None to my knowledge.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees? Yes.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistleblowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

ATTACHMENT ONE

Resumé of Wilbur L. Ross, Jr.

Education

U.S. Army Adjutant General Corps, Fort Benjamin Harrison and Fort Dix
Served to First Lieutenant (1961–1963)

Harvard University
M.B.A., with Distinction (1961)

Yale University
A.B. (1959)

St. Francis Xavier High School, New York City. NY (1951–1955)

Public School #9, North Berger, NJ (1943–1951)

Employment

WL Ross & Co. LLC
Chairman & Chief Strategy Officer (2000–Present)

Rothschild Inc. and its predecessor, New Court Securities Corp.
Executive Managing Director (1976–2000)

Faulkner Dawkins & Sullivan Securities Corp.
President (1964–1976)

Winthrop de Vegh Management Company—Research Analyst
Wood Struthers & Winthrop—Research Analyst
De Vegh International Corp.—Vice President (1964–1966)

Selected Present & Past Boards of Directors

- ArcelorMittal
- Nexeo Solutions (Chairman)
- International Textile Group (Chairman)
- International Steel Group (Chairman)
- International Auto Components (Chairman)
- Navigator Holding (Chairman)
- Diamond S. Shipping (Chairman)
- Bank of Cyprus (Vice-Chairman)
- Bank United
- Revere Copper and Brass
- Allis-Chalmers Corp.
- Air Lease
- Greenbrier
- Bank of Ireland
- Biocraft Labs. Inc.
- Fur Vault Inc.
- RH Cement
- Fresca Credit Land Co.
- Clarent Hospital Corp. (Chairman)

Selected Present & Past Public Service & Non-Profit

- Mayor Rudy Giuliani (Privatization Advisor)
- U.S. Russia Investment Fund (Board Member)
- Smithsonian Institution National Board (Chairman)
- National Museum of American Art (Chairman)

Activities

- New York Historical Society (Chairman)
- National Academy of Design (Chairman)
- Brooklyn Museum (Vice Chairman)
- Yale School of Management (Advisory Board Member)
- Yale Beijing Center (Advisory Board Member)
- Japan Society (Chairman)
- Economic Studies Council Brookings Institute (Chairman)
- Whitney Museum of American Art Institution (Trustee)
- Brookings Institution (Trustee)
- Yale University Council Committee on the Yale (Chairman)
- The New Museum, New York City (Trustee)
- Sarah Lawrence College (Trustee)
- Smithsonian Bi-Centennial Celebration (National Chairman)

Honors

- Fifty Most Influential People in Global Finance, Bloomberg (2015)
- Elected to Private Equity Hall of Fame
- Elected to Turnaround Management Association Hall of Fame (2013)
- Awarded medals by the governments of the Republic of Korea and Japan
- Awarded Businessman of the Year by Florida Trend
- Chairman of Marquis Who's Who

ATTACHMENT TWO

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

Organization	Position
Absolute Recovery Capital Partners, LLC	Managing Member
Absolute Recovery Hedge Fund, Ltd.; Absolute Recovery Master Fund Ltd.	Director
Air Lease Corp	Director
ArcelorMittal	Director
Assured Guaranty	Director
Bank of Cyprus	Director/Vice Chairman
BankUnited FSB; Bank United, Inc.	Director
Blue Ocean Re Holdings Ltd.	Director
Brookings Economic Studies Council	Director, Chairman
Brookings Institution	Trustee
Clarent Hospital Corporation	Director
The Committee on Capital Market Regulation Inc.	Director
Compagnie Europeenne de Wagons S.a.r.l.	Chairman
Diamond S Shipping Group, Inc.	Non-Executive Chairman
Diamond S Shipping LLC	Chairman
DSS Holdings LP	Director/Chairman
El Vedado LLC	Managing Member
Exco Resources	Independent Director
First Michigan Bank/Talmer Bancorp	Director
Governor and Company of the Bank of Ireland	Director
Greenbrier Companies, Inc.	Director
Halla Cement	Director
Homeward Residential, Inc. (f/k/a American Home Mortgage Servicing, Inc. and AH Mortgage Acquisition Co. Inc.)	Chairman/President
Huaneng Invesco WLR Investment Consulting Company Ltd.	Director
IAC Asia Holdings, Inc; IACNA International, Inc.; IACNA Korea, Inc.; IAC Mexico Holdings, Inc.; IAC Spartanburg, Inc.; IAC U.S. Holdings, Inc.	Director
India Asset Recovery Management Limited	Director
Insuratex, Ltd.	Chairman
International Automotive Components Group, S.A.	Non-Executive Chairman

Organization	Position
International Automotive Group GmbH	Chairman and Director
International Automotive Group Japan, LLC	Director/Chairman
International Automotive Group North America (Inc., LLC, and Holdings, Inc.)	Chairman and Director
International Coal Group, Inc.	Non-Executive Chairman
International Textile Group	Non-Executive Chairman
Invesco, Ltd. and its affiliates	Chairman/Chief Strategy Officer
Invesco Private Capital, Inc.	Director
Invesco Private Capital Investments, Inc.	Director
Invesco WLR Limited	Director
INVESCO WLR Private Equity Investment Management Ltd.	Director
Kansai Sawayaka Bank (Nippon Partners)	Director
Montpelier Re Holdings Ltd.	Director
Nano-Tex, Inc.	Chairman
Navigator Holdings Ltd.	Director/Chairman
NBNK Investments PLC	Director/Chairman
Nikko Electric Industry Co. Ltd.	Director
Nexeo Solutions (f/k/a WL Ross Holding Corp.)	Chairman/Director
OCM, Ltd.	Director
Ocwen Financial Corp.	Director
Ohizumi Manufacturing	Director
Palm Beach Retirement System	Co-Chairman/Trustee
Panther Re Holdings Ltd.	Director/Deputy Chairman
PB Materials Holdings, Inc.	Director
Phoenix International Holding Co.	Director
PLASCAR and its holding company	Director
Pan Ross LP	Managing Member
Ross Expansion FLP, LP	General Partner
Ross Expansion GP LLC	Managing Member
Spice Jet, Ltd.	Director
Sun BanCorp	Director
Sun National Bank	Director
Syms Corp.	Director

Organization	Position
Tong Yang Life	Director
Wagon PLC	Non-Executive Director
W.L. Ross & Co., LLC	Chairman/CEO
WL Ross & Co. (India) LLC	Director
WLR Cardinal Mezzanine Fund L.P.	Director
WLR China Energy Associates, Ltd.	Director
WLR/GS (India) Limited	Director
WLR Master Co-Investment SLP GP, Ltd.	Director/Chairman
1116 South Main Street, LLC	Managing Member
781 Fifth Ave. LLC	Managing Member

ATTACHMENT THREE

12. Please list each membership you have had during the past ten years or currently held with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap.

Organization	Position	Dates
American Friends of the Rene Magritte Museum	President	2014 to Present
The Beach Club	Member	2004 to Present
Blenheim Foundation USA	Trustee	2008 to Present
Briarcliff Condominium Apartment Building	Director	2007 to Present
British American Business, Inc.	Director	2010 to Present
Brookings Economic Studies Council	Director, Chairman	2012 to Present
Brookings Institution	Trustee	2013 to Present
Business Roundtable	Member	2003–2014
Century Association	Member	1987–2010
Club Collette (Palm Beach, FL)	Member	2005 to Present
Coconuts	Member	2005 to Present
Financial Analysts Federation, Chartered	Chartered Financial Analyst	>50 years ago to Present
Harry's Bar	Member	2005 to Present
Harvard Business School Club of New York, Inc.	Director	2011 to Prescnt
Harvard Business School Dean's Advisory Board	Director	2012–2015

Organization	Position	Dates
Harvard Club of the Palm Beaches	Member	2015 to Present
Harvard University—Committee on University Resources	Member	2010 to Prcsent
The Japan Society, Inc.	Director. Chairman	2005 to Present
Kappa Beta Phi	Member. Various Positions	2006 to Present
Mark's Club	Member	2005 to Present
Mory's Association	Member	2011 to Prcsent
Musee des Arts Decoratifs	International Council Member	2014 to Present
New York Society of Security Analysts	Member	>35 years ago to Present
Palm Beach Civic Association	Executive Committee Member	2006 to Present
Palm Beach Preservation Foundation	Trustee	2010 to Present
Palm Beach Fire Fighters Retirement Fund	Trustee	2008–2012
Partnership for New York City	Executive Committee Member	2010 to Present
The River Club	Member	2016 to Present
Southampton Bath and Tennis Club	Chairman	2002 to Present
U.S.-India Business Council	Member, Chairman's Circle	2006–2013
Whitney Museum of American Art	Trustee	2006–2010
Yale Club of the Palm Beaches	Member	2015 to Present
Yale University School of Management—Board of Advisors	Member	2010 to Present
5 Hertford Street	Member	2013 to Present

ATTACHMENT FOUR

14. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $500 or more for the past ten years. Also list all offices you have held with, and services rendered to, a state or national political party or election committee during the same period.

My political contributions over the past ten years are listed in the chart below. A separate chart, itemizing the ultimate recipients of the joint contributions listed below, immediately follows.

Date	Recipient	Amount	Notes
1/26/2007	John S. McCain (John McCain 2008, Inc.)	$4,200.00	
3/19/2007	Rudolph W. Giuliani (Rudy Giuliani Presidential Committee, Inc.)	$2,300.00	

Date	Recipient	Amount	Notes
3/19/2007	Rudolph W. Giuliani (Rudy Giuliani Presidential Committee, Inc.)	$2,300.00	
3/23/2007	John S. McCain (John McCain 2008, Inc.)	–$1,900.00	
2/22/2008	Rudolph W. Giuliani (Rudy Giuliani Presidential Committee, Inc.)	–$2,300.00	
5/6/2008	Invesco PLC PAC	$750.00	
7/30/2009	Invesco PLC PAC	$750.00	
3/26/2010	Marco Rubio (Marco Rubio For President)	$4,800.00	
3/29/2010	Bill Nelson (Bill Nelson For U.S. Senate)	$2,400.00	
3/29/2010	Bill Nelson (Bill Nelson For U.S. Senate)	$2,400.00	
3/31/2010	Marco Rubio (Marco Rubio For President)	–$2,400.00	
3/31/2010	Marco Rubio (Marco Rubio For President)	$2,400.00	
4/20/2010	Invesco PLC PAC	$1,000.00	
5/12/2010	Investment Company Institute Political Action Committee	$1,000.00	
3/26/2011	Mr. Ed Royce (Royce Campaign Committee)	$2,500.00	
5/10/2011	Mr. Allen B. West (Deep Strike PAC)	$2,500.00	
5/10/2011	Mr. Allen B. West (Deep Strike PAC)	$2,500.00	
5/27/2011	Boehner for Speaker (FOJB–NRCC)	$25,000.00	See Receipts for Joint Contributions Chart
9/16/2011	National Republican Congressional Committee	$5,784.89	
1/18/2012	Mitt Romney/Paul D. Ryan (Romney For President, Inc.)	$2,500.00	
3/9/2012	Debbie Stabenow (Stabenow For U.S. Senate)	$2,500.00	
3/9/2012	Debbie Stabenow (Stabenow For U.S. Senate)	$2,500.00	
4/2/2012	Invesco PLC PAC	$1,000.00	
4/3/2012	Restore Our Future, Inc.	$100,000.00	
4/4/2012	Eric Cantor (Cantor for Congress)	$2,500.00	
4/4/2012	Eric Cantor (Cantor for Congress)	$2,500.00	
4/23/2012	Romney Victory, Inc.	$50,000.00	See Receipts for Joint Contributions Chart

Date	Recipient	Amount	Notes
5/15/2012	Romney Victory, Inc.	$75,800.00	See Receipts for Joint Contributions Chart
5/21/2012	Romney Victory, Inc.	-$35,800.00	
10/31/2012	Romney Victory, Inc.	–$16,700.00	
3/8/2013	Rubio Victory Committee	$10,000.00	See Receipts for Joint Contributions Chart
4/23/2013	McConnell Victory Kentucky	$15,000.00	See Receipts for Joint Contributions Chart
5/1/2013	Boehner for Speaker	$25,000.00	See Receipts for Joint Contributions Chart
6/6/2013	McConnell Cornyn Leadership Victory Committee	$5,000.00	See Receipts for Joint Contributions Chart
12/3/2013	Elizabeth (Liz) Cheney (Cheney For Wyoming)	$2,000.00	
12/18/2013	National Republic Senatorial Committee	$32,400.00	
3/18/2014	Reclaim America (Marco Rubio Victory Committee)	$5,000.00	
5/13/2014	Paul Ryan	$5,000.00	
6/30/2014	Congressman John Conyers	$1,000.00	
7/28/2014	Republican Governors Association RGA (Aug. 17th Event)	$150,000.00	
8/21/2014	American Opportunity Alliance	$50,000.00	
10/16/2014	Kentuckians for Strong Leadership (replacing his McConnell Victory Kentucky contribution)	$10,000.00	
10/23/2014	Arkansas Victory Fund	$2,600.00	See Receipts for Joint Contributions Chart
11/24/2014	Senate Battleground Fund	$50,000.00	See Receipts for Joint Contributions Chart
12/1/2014	National Republican Senatorial Committee	$23,700.00	
12/15/2014	Republican National Committee	$23,700.00	
1/23/2015	Congressman Ed Royce (event)	$5,000.00	
2/19/1015	Boehner for Speaker (event)	$5,000.00	
2/27/2015	Blunt Toomey Joint Committee: Friends of Pat Toomey	$2,500.00	
2/27/2015	Blunt Toomey Joint Committee: Friends of Roy Blunt	$2,500.00	
3/25/2015	Reclaim America PAC	$5,000.00	See Receipts for Joint Contributions Chart

Date	Recipient	Amount	Notes
3/25/2015	Rubio Victory Committee (Marco Rubio)	$400.00	
3/31/2015	Rubio Victory Committee	$10,000.00	See Receipts for Joint Contributions Chart
4/13/2015	Boehner for Speaker	$10,000.00	See Receipts for Joint Contributions Chart
4/27/2015	Republican Governors Association	$250,000.00	
5/21/2015	Republican National Committee	$33,200.00	
5/21/2015	Republican National Committee	$33,400.00	
6/5/2015	Boehner for Speaker, National Republican Congressional Committee, Freedom Project	$10,000.00	
6/12/2015	Marco Rubio (Marco Rubio For President)	–$2,700.00	
6/18/2015	Friends of John McCain	$5,400.00	
6/30/2015	Rubio Victory Committee	–$4,600.00	
7/13/2015	Boehner for Speaker	$20,000.00	See Receipts for Joint Contributions Chart
7/31/2015	Boehner for Speaker	$5,000.00	
8/21/2015	Republican National Committee	$500.00	
8/28/2015	Republican National Committee	$100,000.00	
9/1/2015	Republican National Committee	$50,000.00	
9/14/2015	John S. McCain {Friends Of John McCain, Inc.)	$2,700.00	
11/10/2015	Friends of Jeb Hensarling	$1,000.00	
11/16/2015	John A. Boehner {Friends of John Boehner)	–$2,700.00	
1/15/2016	Team Ryan (Speaker Paul Ryan) (hosted event)	$125,000.00	
3/21/2016	Congressman Joe Heck	$5,400.00	
3/21/2016	Republican National Committee	$50,000.00	
6/24/2016	Donald J. Trump for President, Inc.	$5,400.00	
6/24/2016	Republican National Committee	$33,400.00	
7/8/2016	Marco Rubio For Senate	$5,400.00	
7/18/2016	Trump Victory	$200,000.00	See Receipts for Joint Contributions Chart
9/30/2016	Marco Rubio For U.S. Senate 2016	$2,700.00	

Receipts for Joint Contributions

Date	Recinient	Amount of Contribution
5/31/2011	National Republican Congressional Committee	$20,000.00
6/9/2011	John A. Boehner (Friends Of John Boehner)	$2,500.00
6/9/2011	John A. Boehner (Friends Of John Boehner)	$2,500.00
4/23/2012	Republican National Committee	$30,800.00
4/23/2012	Mitt Romney/Paul D. Ryan {Romney for President, Inc.)	52,500.00
7/31/2012	Idaho Republican Party	$4,175.00
7/31/2012	Massachusetts Republican Party	$4,175.00
7/31/2012	Oklahoma Leadership Council	$4,175.00
7/31/2012	Vermont Republican Federal Elections Committee	$4,175.00
9/4/2012	National Republican Congressional Committee	$20,000.00
11/2/2012	National Republican Senatorial Committee	–$8,350.00
11/2/2012	National Republican Congressional Committee	–$8,350.00
3/8/2013	Marco Rubio {Marco Rubio For President)	$2,400.00
3/8/2013	Marco Rubio (Marco Rubio For President)	$2,600.00
3/31/2013	Reclaim America PAC	$5,000.00
5/31/2013	John A. Boehner (Friends Of John Boehner)	$2,600.00
5/31/2013	John A. Boehner (Friends Of John Boehner)	$2,600.00
5/31/2013	National Republican Congressional Committee	$19,800.00
6/6/2013	John Cornyn (Texans For Senator John Cornyn, Inc.)	$2,500.00
6/30/2013	Republican Party of Kentucky	$9,800.00
6/30/2013	Mitch McConnell (McConnell Senate Committee)	$2,600.00
6/30/2013	Mitch McConnell (McConnell Senate Committee)	$2,600.00
12/1/2014	National Republican Senatorial Committee	$23,700.00
12/6/2014	William M. Cassidy (Bill Cassidy For U.S. Senate)	$2,600.00
12/15/2014	Republican National Committee	$23,700.00
3/31/2015	Marco Rubio (Marco Rubio For President)	$300.00
3/31/2015	Reclaim America PAC	$5,000.00
4/13/2015	John A. Boehner (Friends Of John Boehner)	$2,700.00
4/13/2015	John A. Boehner (Friends Of John Boehner)	$2,700.00
4/13/2015	National Republican Congressional Committee	$4,600.00
7/13/2015	National Republican Congressional Committee	$20,000.00
7/18/2016	Republican Party of Arkansas	$5,545.45

Receipts for Joint Contributions—Continued

Date	Recinient	Amount of Contribution
7/18/2016	Republican Party of Louisiana	$5,545.45
7/18/2016	Donald J. Trump/Michael R. Pence (Donald J. Trump For President, Inc.)	$2,700.00
7/18/2016	Donald J. Trump/Michael R. Pence (Donald J. Trump For President, Inc.)	$2,700.00
7/18/2016	Mississippi Republican Party	$5,545.46
7/18/2016	West Virginia Republican Party	$5,545.45
7/18/2016	Republican Party of Virginia, Inc.	$5,545.45
7/18/2016	Republican National Committee	$33,400.00
9/27/2016	South Carolina Republican Party	$5,545.45
9/30/2016	Tennessee Republican Party Federal Election Account	$5,545.45
9/30/2016	New Jersey Republican State Committee	$5,545.45
9/30/2016	Connecticut Republican Pm1y	$5,545.45

ATTACHMENT FIVE

16. Please list each book, article, column, or publication you have authored, individually or with others. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

Speeches

1. CalPERS Speech, January 10, 2006
2. Detroit Auto Show, January 11, 2006
3. Keynote Address: 6th CoalTrans Americas Conference, January 31, 2006: *"Investment and Growth in Basic Industries: The Case of Coal"*
4. Japan Investor Conference, March 3, 2006: *"Changing Political and C01porate Governance Landscape in Japan"*
5. Taiyo CalPERS Conference, March 3, 2006
6. Hong Kong Convention & Exhibition Centre, March 28, 2006: *"PRIME SOURCE, The Networking Event for the International Apparel Industry"*
7. Federal Reserve Bank of Chicago, Detroit Branch, April 18, 2006: *"Prospects for Automotive Suppliers"*
8. AlixPartners Conference, Key Biscayne, Florida, April 28, 2006: *"The Restructuring of American Basic Industries"*
9. Siguler Guff Annual Meeting, New York, New York, May 10, 2006: *"What Does It Take for Some U.S. Industries to Survive?"*
10. Third Annual Conference on Distressed Investing—Europe, May 18–19,2006: *"Strategies for Restructuring Legacy Industries"*
11. Organization of Women in International Trade, June 7, 2006: *"The Restructuring of American Basic Industries"*
12. JP Morgan Auto Conference, August 8, 2006: *"Perspectives on the Automotive Supply Sector"*
13. OESA Conference Rationalizing the Auto Supplier Industry: Carving Out Profit from M&A Activity Detroit Marriott Pontiac at Centerpoint, Pontiac, Michigan, August 23, 2006: *"Realizing Profit From Consolidation: Assembling A Global Interior Supplier"*
14. Original Equipment Suppliers Association Conference, Detroit Marriott Pontiac at Centerpoint, Pontiac, MI, August 23, 2006: *"Rationalizing the Auto Supplier Industry"*
15. Credit Suisse Automotive Conference, September 7, 2006: *"Rationalizing the Auto Supplier Industry"*

16. NanoCon International—Mandalay Bay, Las Vegas, Nevada, September 20, 2006: *"Nanotechnology—Impacting Change Today"*
17. SAE Global Leadership Conference, The Greenbrier, West Virginia, October 13, 2006: *"Thoughts About the U.S. Auto Supply Industry"*
18. 20th Anniversary Dinner of the Program on International Financial Systems, October 19, 2006: *"Keynote Presentation"*
19. Amvescap Investors Forum, November 30, 2006
20. GAIM USA 2007, January 24, 2007: *"Thoughts on Distressed Investing Today"*
21. 2007 Turnaround Management & Distressed Investing Forum, February 6–7, 2007: *"Thoughts on Private Equity Distressed Investing Today"*
22. AIM Analyst Symposium, March 6, 2007: *"Are We Distressed Yet?"*
23. Taiyo Pacific Partners 2nd Annual Investor Conference, March 29, 2007: *"Welcoming Remarks"*
24. Textile and Apparel Products from Vietnam, Import Monitoring Program, Public Hearing, April 24, 2007: *"Prepared Testimony"*
25. Blue Cloud Award from the China Institute: June 11, 2007
26. INVESCO Private Capital—Private Equity Educational Summit, New York, NY, June 12, 2007: *"Value Creation Through Distressed Investing"*
27. 2007 Japan-U.S. Symposium, Harvard Law School, September 15, 2007: *Topic 3: Retrospective Views on 10 Years of the Symposium and of a Financial Reform in the Japan and the U.S.*
28. Financial Services MandA Keynote, September 25, 2007: "Recent tightening of credit markets has caused investors to wonder if this is. . ."
29. The Fall Investment Management Forum for Endowments & Foundations, September 25, 2007: *"The Future of the Credit Markets"*
30. INVESCO Board of Directors Meeting, October 9, 2007: *"Are We Distressed Yet?"*
31. CoalTech Asia, December 3–4, 2007: *"Overcoming Challenge to the Growth of Coal"*
32. 2008 Automotive News World Congress, January 22, 2008
33. Automotive News Speech, January 2008
34. AIM Analyst Symposium, March 5, 2008: *"Are We Distressed Yet?"*
35. KPMG and Partnership for New York City, March 13, 2008: *"India in the 21st Century"*
36. FINAL CNBC, March 31, 2008: *"How We Operate"*
37. North Carolina Investment Forum, March 31, 2008: *"Distressed Opportunities in the Financial Services Sector"*
38. Asian Venture Capital Journal, Middle East 2008: P1ivate Equity & Venture Forum, Emirates Palace, Abu Dhabi, April 21, 2008: *"The Financial Crisis in the U.S."*
39. DuPont, April24, 2008: *"The Financial Crisis in the U.S."*
40. Long Island Chapter of Turnaround Management Association, April 24, 2008: *"The Financial Crisis in the U.S."*
41. GPL U.S. Financial Crisis, April 25, 2008
42. Florida Atlantic University/Harry & Anna Trust, Video Conference, April 25, 2008: *"The Financial Crisis in the U.S."*
43. Siguler Guff Annual Meeting, May 6, 2008: *"The Financial Crisis in the U.S."*
44. ABI Sub-Prime Panel, May 12, 2008: *"Potential Topics"*
45. California Bankruptcy Forum Annual Conference, May 16, 2008: *"The Financial Crisis in the U.S."*
46. FRB Story AIM Trimark, California Bankruptcy Forum Annual Conference, May 28, 2008: *"The Financial Crisis in the U.S."*
47. Wards 2008 Auto Interiors Show, June 5, 2008: *"The Outlook for Auto Suppliers"*
48. Invesco Perpetual's Investment Summit, Henley-on-Thames, UK, July 10, 2008: *"The Implications & Opportunities of Major Economic Problems"*
49. August 20, 2008: *"Institutional Sales"*
50. The United States Bankruptcy Court for the District of Delaware, September 11, 2008: *"Delaware Bankruptcy)"*
51. Huaneng Signing Ceremony, September 16, 2008: *"Remarks"*
52. Invesco Investors' Forum 2008, Tokyo, September 18, 2008
53. Institutional Investor 5th Annual India Forum, New York, September 23, 2008
54. September 2008: *"CIO Statement"*
55. The Post, September 25, 2008
56. Invesco Global Headquarters, October 2, 2008: *"The Outlook for the Economy Post the TARP Bill Failure"*

57. Minister of Coal, Government of India, October 9, 2008: *"His Excellency Santosh Bagrodia"*
58. October 12, 2008: *"James Doan"*
59. Invesco Private Capital Annual Partners Meeting, October 23, 2008
60. November 19, 2008: *"Malcolm Gladwell Intro"*
61. 2008: *"Mike Gibbons"*
62. Museum of American Finance, January 21, 2009: *"President Obama's Economic Programs"*
63. Tuck School of Business at Dartmouth, February 6, 2009: *"Private Equity"*
64. Taiyo's 4th Annual Investors Conference, February 25, 2009: *"Speech"*
65. 2009 Wharton Restructuring Conference, February 27, 2009
66. M&A Advisor Lifetime Achievement Award Ceremony, March 16, 2009: *"2009 M&A Advisor Lifetime Achievement Award Ceremony"*
67. Securities Conference, March 19, 2009: *"SIFMA Insurance & Risk-Linked"*
68. PLATTS Coal Conference videotaped, March 20, 2009
69. Skadden Arps Restructuring Group, Apri1 21, 2009: *"'Distressed Investments & Turnarounds in the Current Economic Environment"*
70. Housing Policy Council, May 6, 2009: *"Keynote Address"*
71. Sixth Annual Distressed Investing Europe Conference, May 7, 2009: *"What Have We Learned from this Crisis About Distressed Investing?"*
72. International Bar Association 15th Annual Global, May 18, 2009: *"lnsolvencv & Restructuring Conference—Cash of the Titans Keynote Speech"*
73. 14th Annual NEPC Client Conference, May 20, 2009:*"Where Do We Go From Here?"*
74. International Insolvency Institute, June 1, 2009: *"Keynote Address"*
75. The Coller Institute of Private Equity, June 4, 2009
76. Allen & Co. LLC Sun Valley Conference, July 8, 2009: *"'The State of Finance"*
77. AIM Investment Symposium, June 24, 2009
78. Auto Conference Frankfurt Germany, September 17, 2009: *"New Directions for Auto Suppliers: A Radical Industry Reconfiguration?"*
79. Invesco AIM Focus 2009 Investment Symposium, September 24, 2009: *"Keynote Address"*
80. International Insolvency Institute 9th Annual Conference—New York, October 22, 2009: *"Keynote Address"*
81. 15th Annual ABS East Conference, October 27, 2009
82. Goldman Sachs Alternative Investments Conference, October 29, 2009
83. BAB Awards Dinner, November 3, 2009
84. State Administration of Foreign Exchange 2010 Perspective, Hainan Island China, November 13, 2009: *"Distressed Environment Today, Opportunities & Pitfalls"*
85. November 17, 2009 *"Welcome Address"*
86. WL Ross & Co. Limited Partners' Meeting, November 17, 2009
87. State of South Carolina Retirement System Investment Commission Investment Retreat, November 18, 2009
88. Town of Palm Beach United Way Business and Professional Breakfast, December 10, 2009
89. Norton Annual Review of International Insolvency, December 15, 2009: *"Keynote Address"*
90. Temasek Annual Offsite Speech, January 7, 2010
91. Detroit Auto Show, January 13, 2010: *"2010 Automotive News World Congress"*
92. 1st Annual Private Equity Symposium, January 21, 2010: *"The New Private Equity Paradigm"*
93. Bank of America Merrill Lynch Auto Conference Speech, March 26, 2010
94. Bank of America Merrill Lynch's Inaugural New York Automotive Summit, March 31, 2010
95. Australian Investor Conference, April 12, 2010
96. Investor Conference 2010, Taiyo Pacific Partners LP, April 14, 2010: *"Sovereign Debt Considerations for Investors in Japanese Equities"*
97. Reference: Greece, May 10, 2010
98. May 11, 2010: *"The Crisis Two Years Later: Opportunities in the Distressed & Where We Go From Here"*
99. HBS Honor, May 17, 2010
100. Siguler Guff Annual Meeting, May 20, 2010
101. Japan Society Annual Dinner, May 24, 2010
102. Invesco Investment Symposium, May 26, 2010
103. Invesco Investment Forum, June 8, 2010: *"The Latest Crisis"*

104. July 21, 2010: *"WL Ross & Co. and Invesco Private Capital Presentation to the Invesco Ltd. Board of Directors"*
105. PFNYC Geithner Meeting, August 2, 2010
106. KBW Insurance Conference, September 7, 2010: *"Thoughts About the Mortgage Crisis"*
107. INVESCO Board Meeting, October 11, 2010
108. Japan Society Board of Directors Dinner, October 20, 2010: *"Remarks"*
109. Bank of America/Merrill Lynch 4th Annual Private Company Conference, October 28, 2010: *"What's Next"?*
110. The Chinese Finance Association Conference, October 30, 2010: *"Global Recovery and Financial Structural Changes after Crisis: Opportunities and Challenges for China"*
111. Invesco Real Estate Conference, November 3, 2010: *"Distressed Investment Opportunities"*
112. 9th Annual M&A Advisor Awards & Summit, December 14, 2010: *"Keynote & Roundtable"*
113. National Retirement Fund Investment Committee, December 14, 2010
114. Automotive News World Congress, January 11, 2011: *"National/Industrial Manufacturing Policy: Do we need one? How do we create and/or save jobs?"*
115. 2011 Leadership in the Distressed Markets Argyle Executive Forum, January 13, 2011: *"Where Are the Distressed Investment Opportunities?"*
116. Japan Society, January 19, 2011: *"What's Next for the Global Economies?"*
117. Tiger 21 Annual Conference, January 27, 2011: *"Where Are the Distressed Investment Opportunities?"*
118. BankUnited Closing Dinner, February 10, 2011: *"A Rhyming Thank You For BKU'*
119. Atlantic Trust Client Conference, February 11, 2011: *"Where Are the Distressed Investment Opportunities?"*
120. February 16, 2011: *"An Ode to Mario"*
121. Palm Beach Civic Association Community Forum, February 28, 2011
122. March 1, 2011: *"USIBC: India's Annual Budget Briefing"*
123. New York State Common Retirement Fund Investment Conference, March 23, 2011: *"Distressed Investment Opportunities"*
124. Partnership For New York City China—U.S. Business Leaders Roundtable, April 7, 2011
125. Siguler Guff Annual Meeting, May 17, 2011
126. J.P. Morgan China Conference 2011, June 1, 2011
127. Bloomberg Markets 50 Summit, September 15, 2011: *"Austerity and Other Growth Obstacles"*
128. Marcum LLP, September 21, 2011: *"Alternative Assets and the Outlook on the Capital Markets"*
129. CICC Forum Panel II, September 26, 2011
130. September 28, 2011: *"Extra Pages"*
131. Tokyo Nikkei Forum, October 24, 2011: *"Facing Challenges with Superior Management Vision"*
132. Blenheim Foundation, October 27, 2011
133. Marine Money 12th Annual Ship Finance Forum, November 10, 2011: *"An Investor's Perspective on the Shipping Industry"*
134. WL Ross & Co. LLC 2011 Annual Partners Meeting, November 16, 2011
135. 17th Annual Beard Group Distressed Investing Conference, November 28, 2011
136. The M&A Advisor, December 12, 2011: *"Deal of the Decade Awards"*
137. January 19, 2012: *"Kappa Beta Phi Speech"*
138. Meeting with Bank of Ireland, January 27, 2012
139. Meeting with NTMA Brian Murphy & National Pension Reserve Fund, January 27, 2012
140. Daiwa Capital Markets America Luncheon, February 8, 2012: *"What's Next for Investors in Japan?"*
141. The Ireland Funds, February 16, 2012
142. Ireland-US Council Lunch, February 17, 2012
143. Yale SOM Leaders Forum, April 10, 2012
144. 40 Under 40 Awards Commentary, May 1, 2012
145. Invesco Investment Symposium, May 2, 2012
146. NYU Economic Forum, May 10, 2012
147. Marine Money Week, May 2012
148. 2nd Annual American Banker M&A Symposium, May 21, 2012
149. Siguler Guff & Company 2012 Conference, May 23, 2012: *"A Tale of Two Cities: Athens & Dublin"*

150. June 23, 2012: *"Transcription of IPI Keynote Interview with Consuelo Mack"*
151. June 2012: *"IPI Summary"*
152. Japan Society, June 7, 2012: *"Remarks"*
153. Marine Money, June 20, 2012: *"The Shipping Industry in 2015"*
154. Marine Money Singapore, September 25, 2012: *"A Marine Transport Investor's Point of View"*
155. Invesco U.S. Retail Client Investment Symposium, September 27, 2012
156. Invesco Board Speech, October 7, 2012
157. Invesco Board Meeting, October 7, 2012
158. Japan Society Evening, January 15, 2013: *"Banker to the World—Lessons from the Front Lines of Global Finance"*
159. Automotive News Congress, January 16, 2013: *"Our Changing Industry"*
160. YPO Economic Summit V, January 18, 2013: *"Keynote Speech"*
161. Yale SOM Leaders Forum Speakers Series, January 29, 2013: *"A Conversation with Wilbur Ross"*
162. The Ireland-U.S. Council Winter Meeting, February 15, 2013: *"Presentation to The Ireland-U.S. Council Winter Meeting"*
163. Worldwide Ireland Fund Leadership Forum: February 26, 2013
164. NMS Family Office Forum, March 5, 2013; *"A Look Ahead'*
165. BritishAmerican Business CEO Roundtable, March 13, 2013: *"Lessons Learned from Corporate Restructuring"*
166. The Ireland Day Pre Summit Dinner, March 14, 2013: *"Outstanding Contribution to Business in Ireland"*
167. Ireland Day 2013 at the NYSE, March 15, 2013: *"Opportunities for Ireland Inc."*
168. Gatestone Luncheon, March 21, 2013: *"How to Jumpstart the Economy"*
169. American Bankruptcy Institute Commission Hearing to Study Reform of Chapter 11, April 19, 2013
170. Berkeley Point Annual Customer Conference, May 2, 2013: *"Thoughts on Current Major Events Affecting Global Economies"*
171. May 22, 2013: *"Lessons from Other Banking Crises"*
172. Japan Society Annual Dinner, June 3, 2013: *"Chairman's Remarks"*
173. June 19, 2013: *"Private Equity in Shipping"*
174. Tokyo Speech Investment Strategies, July 18, 2013: *"Our investment Strategies"*
175. Finance Panel Discussion Boehner for Speaker Team Retreat, August 29, 2013
176. RBS Credit & Asset-Backed Conference, September 5, 2013: *"Opportunities Created by the Financial Crisis"*
177. Invesco Board Meeting, October 9, 2013
178. October 18, 2013: *"WLR Speech"*
179. Marine Money Conference, February 27, 2014: *"2014 Private Equity and Shipping"*
180. Capital Link Shipping Forum Luncheon Keynote, March 20, 2014: *"Private Equity View of Marine Transport"*
181. WL Ross & Co. LLC 2014 Annual Meeting, March 25, 2014: *"WL Ross Organizational Changes"*
182. The Ben Graham Centre Value Investing Conference, April 8, 2014: *"Lessons from the Bank of Ireland Saga"*
183. 15th Anniversary of Leading Brands of Spain Association, April 24, 2014: *"Competing Globally: Perspectives from a Leading Investor"*
184. Invesco Canada Client Event Luncheon Keynote, May 18, 2014
185. St. George's Society of New York, May 21, 2014: *"St. George's Medal Acceptance Speech"*
186. Daiwa Capital Markets Speech, May 27, 2014: *"What's Next for Investors in Japan?"*
187. Japan Society, September 10, 2014: *"The Central Banks of U.S., Europe and Japan and Their Impact on Each Economy"*
188. Daiwa 50th Anniversary, September 18, 2014
189. Quarterly Call, October 15, 2014
190. American Irish Historical Society, November 6, 2014
191. Marine Money, November 12, 2014
192. December 11, 2014: *"Oil-OPEC"*
193. The Yale CEO Leadership Summit, December 18, 2014: *"Legends of Leadership Award"*
194. Aegon Annual Meeting, January 16, 2015 *"Where Is Oil Going?"*
195. Palm Beach Pundits Luncheon Keynote Speech, March 2, 2015: *"Income Inequality and Upward Mobility in the U.S."*

196. National Institute of Social Sciences, March 6, 2015: *"Income Inequality and Upward Mobility in the U.S."*
197. James Gorman Japan Society Lunch Intro, March 12, 2015
198. Ireland Day Keynote, March 13, 2015: *"The Irish Economy: Laying Foundations for Sustainability and Success"*
199. March 23, 2015: *"Capital Link Shipping Conference Keynote Speech"*
200. March 23, 2015: *"WL Ross Limited Partner Annual Dinner Speech"*
201. NY Common Videoconference, April 15, 2015
202. Invesco Canada Client Event Keynote Speech, May 21, 2015: *"The Economic Outlook for the U.S. Europe, Japan, China and Canada"*
203. June 4, 2015: *"Questions for Rutgers Business School Panel"*
204. June 10, 2015: *"Macro Environment"*
205. Japan Society Annual Dinner, June 11, 2015
206. Invest Cyprus Awards, July 1, 2015
207. The Vietnam Conference, July 1, 2015: *"Why U.S. Corporate and Private Equity Investors Should Look at Vietnam Now"*
208. Wall Street Journal Europe, July 3, 2015: *"The Lessons Greece Didn't Learn"*
209. Ascension Health Meeting, July 16, 2015: *"Three Complex Topics: Greece, Oil and China"*
210. BritishAmerican Business, July 20, 2015: *"Is the Sovereign Debt Crisis Over?"*
211. NYSSA, July 27, 2015: *"Greece"*
212. SentryWorld Badger/Gopher Roundtable, July 31, 2015: *"Three Puzzles: Greece, Oil and China"*
213. August 26, 2015: *"Governor Kuroda Introduction"*
214. August 26, 2015: *"Potential Initial Questions for Governor Kuroda"*
215. The Future of Finance Conference, September 9, 2015: *"IT and Regulatory Challenges and Opportunities Facing Bank Managements"*
216. Brookings Dinner for the President of Cyprus, September 24, 2015: *"President of Cyprus Intro"*
217. NYSSA Annual Dinner, October 10, 2015: *"NYSSA Lifetime Achievement Award'*
218. JP Morgan Private Client Event, November 20, 2015
219. 2015: *"The strategic issue steel versus other materials"*
220. Stifel Transportation & Logistics Conference, February 9, 2016: *"Keynote Speech"*
221. Foreign Policy Association, February 10, 2016: *"China & Oil: Two BIG Issues"*
222. Mayor and Town Council, Palm Beach, Florida, March 30, 2016, *"Pension Fund Presentation"*
223. Marriott Essex House, April 11, 2016: *"Fund VI & Tactical Energy Meeting with Pepperdine University"*
224. Capital Roundtable Conference, April 14, 2016: *"Capital Roundtable PE in Distressed Companies"*
225. IPI Spring Forum, May 17, 2016
226. Market Groups Private Equity Americas Forum, May 18, 2016: *"Macro Outlook on Private Equity"*
227. June 1, 2016: *"Introduction of Brian Moynihan, BOA"*
228. Japan Society Annual Dinner, June 1, 2016: *"Chairman Remarks"*
229. June 28, 2016: *"Brexit and Trump"*
230. July 6, 2016: *"How to Create 200,000 High-paying Jobs While Lowering the Federal Deficit by $50 Billion"*
231. Town Hall of Palm Beach, Florida, July 12, 2016: *"Retirement Fund Information"*
232. July 13, 2016: *"How to Fix Our Trade Policy"*
233. July 27, 2016: *"Donald Trump's Repatriation Solution for Infrastructure Funding"*
234. August 3, 2016 Speech
235. August 17, 2016 Speech
236. August 22, 2016: *"Hillary's Plan Doesn't Work"*
237. August 30, 2016 Speech
238. September 6, 2016: *"Wilbur L. Ross Background Information"*
239. September 12, 2016 Speech
240. China institute, September 27, 2016: *"China and Trump"*
241. October 14, 2016 Speech
242. October 15, 2016: *"Speech for Teddy"*
243. 2016 IIF Annual Membership Meeting, October 3, 2016: *"International Trade"*

244. 2016 IIF Annual Membership Meeting, October 8, 2016; *"Free Trade Agreement"*
245. 2016 IIF Annual Membership Meeting, October 8, 2016: *"Panel Presentation to the institute for International Finance"*
246. October 13, 2016: *"TPC Panel Speech"*
247. Real Clear Policy, October 30, 2016: *"Donald Trump's Contract with the American Voter"*
248. November 7, 2016: *"Marine Money Speech (if Trump Wins)"*
249. November 16, 2016
250. 2016: *"Regulatory and Trade Talking Points"*

Books

1. Workouts and Bankruptcy Reorganization Workshop (1986)
2. My One Big Break, Spotlight Press (2004)
3. 10-Year Treasury Runs Risk of 25 percent Decline (2013)
4. Afterword: Opportunity Knocking: Lessons from Business Leaders (2014)

Articles/Columns/Publications

1. The Wall Street Journal Online, October 25, 2016, OPINION, 1008 words, A Vote for Trump Is a Vote for Growth; The Republican's policies will create 25 million new jobs, boost incomes and generate trillions in additional tax revenues.
2. Wall Street Journal Abstracts, October 14, 2016 Friday, A; Pg. 10, 26 words, TRUMP'S RIGHT: NAFTA HAS BEEN LOSER FOR US.
3. September 29, 2016, Scoring the Trump Economic Plan: Trade, Regulatory and Energy Policy Impacts
4. Washingtonpost.com, September 27, 2016 Tuesday 4:11 AM EST, Editorial; Pg. A19, 863 words, How Trump would boost the U.S. economy.
5. Financial Times, August 28, 2016, Trade Imbalances
6. Wall Street Journal Abstracts, August 26, 2016 Friday, A; Pg. 10, 32 words, WILBUR ROSS RESPONDS TO HIS CRITICS ON TRADE.
7. Wall Street Journal Abstracts, August 15, 2016 Monday, A; Pg. 10, 28 words, MR TRUMP MAKES SOME GOOD POINTS ON TRADE.
8. Detroit Free Press (Michigan), August 12, 2016 Friday, 1 Edition, OPINION; Pg. Al2, 725 words, Clinton is taking the wrong approach to trade deals.
9. Toledo Blade (Ohio), August 2, 2016 Tuesday, FINAL Edition, PAGES OF OPINION; Pg. A6, 666 words, Unions won't support Clinton's flip-flop.
10. Pittsburgh Post-Gazette, August 1, 2016 Monday, SOONER EDITION, EDITORIAL; Pg. A–9. 607 words. CLINTON'S BAIT-AND-SWITCH ON TRADE; WHY HILLARY CLINTON IS GOING TO BE A TOUGH SELL IN THE UNION HALLS.
11. The Wall Street Journal Online, July 2, 2015, OPINION, 622 words, The Lessons Greece Didn't Learn; If Athens had implemented reforms swiftly, it would be on the road to prosperity today.
12. Welath Arabia, June 2012, How I made it.
13. WALL STREET JOURNAL ABSTRACTS, June 25, 2009 Thursday, Section A; Column 4; Pg. 14, I6 words, NOTHING DARWINIAN ABOUT GM BANKRUPTCY.
14. Avenue Magazine, April 2009, MoneyTalk.
15. The New York Post, November 6, 2008 Thursday, All Editions; Pg. 37, 511 words, O'S JOB NO. 1: AMERICAN JOBS.
16. The New York Post, October 2, 2008 Thursday, All Editions; Pg. 36, 589 words, A PLAN FOR EVERY HOMEOWNER—A FEDERAL INSURANCE SCHEME TO BENEFIT WALL STREET AND MAIN STREET.
17. The New York Post, September 28, 2008 Sunday, All Editions; Pg. 35, 666 words, PASS THE PLAN NOW! WARTS AND ALL, $700B BAILOUT IS BEST STEP FORWARD: ROSS.
18. WALL STREET JOURNAL ABSTRACTS, March 10, 2008 Monday, Section A; Column 1; Pg. 14, 42 words, REVIEW & OUTLOOK—THE MUNI PLAY.
19. WALL STREET JOURNAL ABSTRACTS, September 24, 2007 Monday, Section A; Column 5; Pg. 10, 37 words, IN BRIEF—ROSS OFFERS TO ACQUIRE MAJOR MORTGAGE SERVICE,
20. WALL STREET JOURNAL ABSTRACTS, November 21, 2006 Tuesday, Section C; Column 5; Pg. 5, 36 words, LEAR CORP.
21. The News & Observer (Raleigh, North Carolina), August 15, 2006 Tuesday, Final Edition, EDITORIAL/OPINION; Point of View; Pg. A9, 16 words, Textiles' stake in trade with Vietnam.
22. The Sunday Telegraph (LONDON), July 30, 2006 Sunday, CITY; Pg. 7, 1414 words, 'Here comes a bankruptcy boom' As leveraged deals get ever larger, Wilbur Ross expects a rapid rise in the number of companies falling into difficulty.

23. The Wall Street Journal Asia, June 8, 2006 Thursday, Pg. 13, 827 words, Who Does Arcelor Belong To?

24. The Wall Street Journal Europe, June 7, 2006 Wednesday, Business Europe; Pg. 12, 931 words, A Raw Deal for Shareholders.

25. WALL STREET JOURNAL ABSTRACTS, June 7, 2006 Wednesday, Section A; Column 4; Pg. 14, 57 words, WHO DOES ARCELOR BELONG TO?

26. Information Bank Abstracts, WALL STREET JOURNAL ABSTRACTS, August 12, 2003, Tuesday, Section A; Page 13, Column 1, 24 words, BUSH MUST STAY THE COURSE ON STEEL TARIFFS.

27. The Bond Buyer, February 26, 1996, Monday Correction Appended, OPINION; Pg. 30, 726 words, Theory Aside, Privatize When the Numbers Show Consumers Will Benefit.

28. The Bond Buyer, April 3, 1995, Monday, OPINION; Pg. 31, 557 words, How an Internal Revenue Service Rule Is Standing in the Way of Privatization.

29. Information Bank Abstracts, WALL STREET JOURNAL, June 6, 1991, Thursday, Section A; Page 19, Column 1, 29 words, LETTERS TO THE EDITOR.

ATTACHMENT SIX

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

Following are matters of which I am aware, based on my records and an electronic search. As noted in the response to Question C.3, I also have been associated with a number of corporations and other entities and, from time to time, such entities (including, in some instances, their directors, officers and employees) have been involved, in the ordinary course, in judicial or regulatory proceedings relating to their businesses.

Caption	Dates(s) Filed	Description	Resolution
Storper v. *Ross,* No. 652772/2016 (N.Y. Sup. Ct.)	May 23, 2016	Contract	Dropped as defendant
Lowinger v. *Ross,* No. 651440/2015 (N.Y. Sup. Ct.)	Apr. 29, 2016	Contract	Discontinued
Kramer v. *Ross,* No. 6470 (Del. Chancery)	May 11, 2011	Fiduciary duty	Settled
Lusk v. *Ross,* No. 603825/2005 (N.Y. Sup. Ct.)	Oct. 27, 2005	Contract	Settled
Ross v. *Caraher,* No. 18898/2003 (N.Y. Sup. Ct.)	Aug. 21, 2003	Zoning	Remanded for new hearing
Ross v. *McCaughey Ross,* Nos. 108031/2000, 350272/1999, 350723/1998 (N.Y. Sup. Ct.)	Apr. 11, 2000 Apr. 21, 1999 Nov. 4, 1998	Divorce	Settled/divorce granted
Ross v. *Ross,* Nos. 128305/1995, 300010/1993 (N.Y. Sup. Ct.)	Nov. 29, 1995 Jan. 5, 1993	Divorce	Divorce granted
Ross v. *Commissioner of IRS,* No. 008580–85 (U.S.T.C.)	Apr. 1, 1986	Tax	Settled

The CHAIRMAN. Thank you, Mr. Ross.

Before we begin our questions, I want to ask unanimous consent to put multiple letters of support for Mr. Ross into the record, including those from four former Secretaries of Commerce from both parties endorsing him for the position.

Without objection, it's so ordered. Thank you.

[The information referred to follows:]

December 19th, 2016

The Honorable John Thune
511 Dirksen Senate Office Building
United States Senate
Washington, DC 20510

Dear Chairman Thune,

I am writing in support of President Elect Donald Trump's U.S. Commerce secretary nominee, Wilbur Ross, a distinguished business leaders with vast experience in the United States and around the world.

I had the opportunity to meet and work with Mr. Ross when I was Secretary of Commerce. His business acumen, experience, and wisdom are unparalleled. His deep understanding of manufacturing will be a tremendous asset for American workers.

If confirmed, the country will be fortunate to have an American of Mr. Ross' stature serve as the U.S. Commerce Secretary. He will represent our country with great distinction and loyalty.

With great pleasure I wholeheartedly support Mr. Ross's nomination for U.S. Secretary of Commerce.

Sincerely,



Carlos Gutierrez
Secretary of Commerce (2005-2009) - George W. Bush

WILLIAM M. DALEY

December 20, 2016

Senator John Thune
United States Senate SD-511
Washington, DC 20510

Dear Mr. Chairman,

I am writing in support of Wilbur Ross to be confirmed as the next Secretary of Commerce. I have known Mr. Ross and have observed his business acumen over many years. He is a person of integrity and accomplishment. I believe he will represent the interest of the American Business Community and the economic interests of the American people with character and honor. As a former Secretary, I understand the challenges leading the department in these quickly changing and challenging economic times. I believe Mr. Ross will do a superb job on behalf of the people of the United States of America.

Sincerely,

William M Daley

DONALD L. EVANS

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December 20, 2016

Senator John Thune, Chair
U.S. Senate Committee on Commerce, Science & Transportation
512 Dirksen Senate Building
Washington, DC 20510

Dear Senator Thune,

It is a pleasure for me to highly recommend Mr. Wilbur Ross to you to serve as the 39th Secretary for the U.S. Department of Commerce.

I have known Mr. Ross for over 16 years and can attest to the fact that he possesses the qualities that are critical to managing this unique Department and its diverse agencies. As an outstanding leader in the business community, he brings with him a wealth of experience that is a natural fit for the Department's mission of promoting the interests of America's private sector business both here and abroad.

As you know, I had the honor of serving as the 34th Secretary of Commerce, and in that capacity had an opportunity to meet with thousands of men and women who are running America's companies, hiring American workers and providing the economic engine of our country. As a successful entrepreneur, Mr. Ross has a keen understanding of the challenges that businesses of all sizes face in this competitive global economy, and I am confident his experience will prove to be invaluable as Secretary of Commerce.

Most importantly, I know Mr. Ross as a true patriot — a man who has the best interest of our great country at heart. He will always put America first. He will serve as an outstanding leader as the next Secretary of Commerce.

Thank you for your kind consideration.

Respectfully yours,

Donald L. Evans

BCIU

BUSINESS COUNCIL
for INTERNATIONAL
UNDERSTANDING

January 6, 2017

The Honorable John Thune, Chairman
The Honorable Bill Nelson, Ranking Member
United States Senate Committee on Commerce, Science and Transportation
512 Dirksen Senate Office Building
Washington, DC 20510-6225

Dear Chairman Thune and Ranking Member Nelson:

I am writing in support of the nomination of Wilbur Ross to serve as the 39th Secretary of Commerce of the United States of America. Mr. Ross has actively supported the Business Council of International Understanding's (BCIU's) mission for many years by contributing through our activities his deep knowledge and experience in global investing to senior U.S. and global policymakers.

BCIU is a non-profit, non-partisan association created on November 10, 1955 by President Dwight D. Eisenhower to "inspire, encourage and assist American companies operating abroad to help create wider international understanding of the United States." BCIU was an expression of Eisenhower's pledge in his first inaugural that, "We shall strive to foster everywhere, and to practice ourselves, policies that encourage productivity and profitable trade ... For all our own material might, even we need markets in the world for the surpluses of our farms and our factories. Equally, we need for these same farms and factories vital materials and products of distant lands."

Since its inception, BCIU has been a private sector partner of the U.S. Commerce Department, and if confirmed, I am certain that Mr. Ross will perform exemplary service in driving the Department's institutional directive as a forceful advocate for the global interests of American companies and workers. Mr. Ross' real world understanding of the Department's mission, and his track-record of leading large and complex organizations, uniquely prepare him for the important responsibility to create jobs and stimulate economic growth through inward investment, increased exports, and effective international trade policies.

Thank you for the opportunity to express my views to the Committee. Thank you for your work and contribution to the productive development of economic and trade policy in the United States and I urge your support in favor of Mr. Ross' nomination as Secretary of Commerce.

Sincerely,

Peter Tichansky

Peter Tichansky
President & CEO

CC: Members of the Committee on Commerce, Science and Transportation

1501 Broadway | Suite 2300 | New York, NY 10036 | USA | **Tel** 1.212.490.0460 | **Fax** 1.212.697.8526 | **www.BCIU.org**

UNITED STEELWORKERS
USW
UNITY AND STRENGTH FOR WORKERS

Leo W. Gerard
International President

January 9, 2017

United States Senate
Washington, D.C. 20510

Dear Senator:

On behalf of the United Steelworkers (USW) representing hundreds of thousands of American workers, we urge you to support Wilbur Ross, Chairman and Chief Strategy Officer of WL Ross & Co., LLC, to serve as Secretary of the U.S. Department of Commerce.

Mr. Ross has shown a deep commitment to the future of our domestic manufacturing sector. Many of us have seen firsthand how he has worked to keep production and manufacturing jobs here in the U.S. The USW worked directly with Mr. Ross to save thousands of jobs in the steel industry at a time of crisis. In fact, there are now thousands of our members in the steel and auto parts sectors that are working because of our ability to work together to save a critical piece of America's industrial base.

He knows what it takes to get the economy back on track, create jobs, and keep jobs from leaving the United States and build a framework so that American workers and companies are competitive and innovative in the 21st Century. There is much work to be done to restore America's manufacturing base and the good jobs it supports. As Secretary, Wilbur Ross will be someone who has a deep understanding of the challenges this vital sector faces.

We urge the Senate to move swiftly on his nomination and look forward to working with him to create more jobs for American workers.

Sincerely,

Leo W. Gerard
USW International President

PETER G. PETERSON

January 10, 2017

The Honorable John Thune
Chairman
Committee on Commerce, Science, and Transportation
512 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science, and Transportation
425 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson:

I write in support of Wilbur Ross as our next Secretary of the United States Department of Commerce.

As a former Commerce Secretary, I am confident that the Department and the nation will benefit greatly from Wilbur's wisdom, experience and integrity. Wilbur possesses a vast knowledge base and extensive business expertise across multiple sectors, which will serve him well in guiding policies that spur economic growth and create jobs.

Importantly, Wilbur has earned a reputation as an honest negotiator who is open to all good ideas, and he has successfully built relationships across the political aisle. Following in the tradition of former Commerce Secretaries like Don Evans, Robert Mosbacher, and Bill Daley, Wilbur's collaborative approach will help foster progress in areas like innovation, competitiveness, and widely-shared economic opportunity.

Wilbur is an excellent choice for this critically important role for America's economy, and I hope you will give him every consideration.

Sincerely,

Peter G. Peterson

U.S. Secretary of Commerce, 1972-73

712 FIFTH AVENUE, NEW YORK, NEW YORK 10019
PHONE: 212.542.9201 FAX: 212.542.9205



January 18, 2017

The following is a statement from Senator Chris Dodd, Chairman and CEO of the Motion Picture Association of America, Inc., on the appointment of Wilbur Ross for Secretary of Commerce.

"The MPAA welcomes the appointment by President-elect Donald Trump of Wilbur Ross Jr. for Secretary of Commerce. The film and television industry is one of America's greatest exports and a key driver of the U.S. economy, supporting nearly two million jobs spanning all 50 states, more than $121 billion in wages, and $16.3 billion in exports. The Commerce Department plays a critical role in fostering vibrant creative industries through the International Trade Administration's efforts to improve access to foreign markets, the United States Patent and Trademark Office's promotion of strong copyright policy at home and in trade deals, and the National Telecommunications and Information Administration's work to facilitate and expand legitimate digital trade. Mr. Ross has an impressive background in business, and his understanding of the global competitive marketplace will make him a strong advocate for the United States' economic interests. The MPAA looks forward to working with Mr. Ross and his Commerce Department colleagues."

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About the MPAA

The Motion Picture Association of America, Inc. (MPAA) serves as the voice and advocate of the American motion picture, home video and television industries from its offices in Los Angeles and Washington, D.C. Its members include: Walt Disney Studios Motion Pictures; Paramount Pictures Corporation; Sony Pictures Entertainment Inc.; Twentieth Century Fox Film Corporation; Universal City Studios LLC; and Warner Bros. Entertainment Inc.

The CHAIRMAN. And we will now turn to questions.

Mr. Ross, according to media accounts, should you be confirmed as Secretary of Commerce, President-elect Trump will formally tap you to oversee the Nation's trade policy, and I'm wondering what you might be able specifically to describe in terms of what you'll be seeking to accomplish with regard to trade policy in the first 100 days of the Trump administration. If you could hone in a little bit because a lot of the media reporting, specifically with regard to China, and also there were some stories this morning regarding Canada and NAFTA. So if you could talk, speak, to those issues.

Mr. ROSS. Surely, sir. We are well aware of the legislated powers of the U.S. Trade Representative. And obviously, neither the President nor I is going to try to do anything that is adverse to the congressional mandate given to the U.S. Trade Rep.

Having said that, though, we think it is good for trade policy to bring all of the intellectual resources that we can muster——

[Interruption by protestors.]

Mr. ROSS. That was not part of my prepared remarks.

[Laughter.]

The CHAIRMAN. Thank you. Please proceed.

Mr. ROSS. I was saying I think it's important to bring all the intellectual resources and experience that we can to helping solve the trade issues. And, therefore, we view that there will be a collaborative process among the U.S. Trade Rep, myself, and Peter Navarro, the White House Director of the National Trade Council. We will try our best, collectively, to do what's best for this country. So that's how we visualize the interaction of those parties working.

As to Canada and Mexico, the President-elect has made no secret in his public remarks, nor have I, in earlier remarks during the campaign that NAFTA is logically the first thing for us to deal with. We ought to solidify relationships in the best way we can in our own territory before we go off to other jurisdictions. So I think that should be, and hopefully will be, if I'm confirmed, a very, very early topic in this administration.

The CHAIRMAN. And China?

Mr. ROSS. China is the most protectionist country of the very large countries. They have both very high tariff barriers and very high non-tariff trade barriers to commerce. So they talk much more about free trade than they actually practice. We would like to levelize that playing field and bring the realities a bit closer to the rhetoric.

The CHAIRMAN. Mr. Ross, you coauthored President-elect Trump's America's Infrastructure First plan, which is described as featuring a major private sector, revenue-neutral option to help finance a significant share of the Nation's infrastructure needs. There is bipartisan interest in working together on infrastructure issues, but there are also questions about how the new administration's plan will address infrastructure projects do not have a readily available revenue source, and that would apply to most rural projects.

Could you provide some insights as to how the America's Infrastructure First plan will address the infrastructure needs in rural America?

Mr. ROSS. Surely. Well, first of all, as to the plan that we wrote about during the campaign, that concept of the public-private partnership with tax incentives for equity investment was simply meant to be yet another tool because I think there are three categories of infrastructure projects. One are the ones that are simple to finance, where they have inherent well-documented, reliable source of revenue from user fees. Those don't really need much more help because they have access to the tax-exempt bond market and to the corporate debt market.

The third category is the trickiest one, and some of the rural activities go in that. That's ones where it's very hard to find a convincing source of revenue. It seems to me those will have to be subsidized by someone as part of an overall infrastructure project.

The one in the middle is the ones that have a potential revenue source, but it isn't as clearly defined that you can just do it without needing equity. So the purpose of the plan that we put forward, the public-private partnership, was to fill that second gap. So it's not in place of concepts like Build America Bonds, it's not in place of conventional financing, it simply was meant to provide another tool. And the reason I think we need another tool is the infrastructure needs of this country are so monumental that we need any available source of capital in order to meet it on a timely basis.

The CHAIRMAN. Well, I would just simply say that there are a lot of Members of this Committee on both sides of the aisle that represent large geographic areas and would look forward to working with you as you shape that plan to ensure that rural areas are not left out of the equation.

My time is expired, but before we turn to other Members for questions, I wanted to seek clarification from you, Mr. Ross, on one additional subject. Upon your nomination and as part of this confirmation process, it's my understanding that you determined that you had hired a household employee in 2009 who presented a Social Security card, and the employee's name along with a valid driver's license, but who recently was unable to provide similar documentation again.

Once you made this discovery, I understand you immediately terminated that particular household employee and informed the Committee. Prior to this discovery, however, you had used the Social Security Number this person provided you to pay all applicable taxes for this household employee from 2009 to 2016 without incident.

I want to say, Mr. Ross, thank you for being forthcoming with the Committee about this particular matter, and I would ask you if I have explained accurately the facts, and if there is anything further that you would like to add about this matter at this point.

Mr. ROSS. Those are the facts, and we did the best that we thought we could do in order to verify the legality of the employment, and it turned out that was incorrect. So, but we did pay all of the withholdings, so did that employee, and so did all the other employees that we've had.

What happened was when I was getting ready for this hearing, I wanted to recheck all of our present and former employees. They all produced the appropriate records again, and in many cases, they had now advanced to the point where they're actually citizens,

so I'm very happy with that. This one employee was unable to, and, therefore, was terminated.

The CHAIRMAN. Thank you, Mr. Ross.

Senator Nelson.

Senator NELSON. And I think it's important to point out that that wasn't just one or two employees; you had a battery of employees over those years.

Mr. ROSS. Yes, Senator, that's correct, a dozen or so.

Senator NELSON. I have, of course, talked to the Chairman about this. You were forthcoming in your questionnaire that you filled out for the Committee. You were a private citizen all that period of time, and it was only until such time that you had been named Commerce Secretary that you rechecked and then found out that one of your dozen or so employees had, in fact, deceived you. Is that correct?

Mr. ROSS. Yes, it is, Senator.

Senator NELSON. And then you immediately dismissed that employee.

Mr. ROSS. That is correct, sir.

Senator NELSON. And that all occurred sometime within the past month.

Mr. ROSS. That is correct also.

Senator NELSON. OK. Can you share with the Committee what I referred to in my opening statement about how you have bought and sold many businesses. You know what the critics have said. You know those who have said that you have been a job creator, praising your work.

So could you share with us how you would characterize that part of your businesses? And does your record demonstrate that, as Secretary of Commerce, you're going to be putting businesses first, and especially American workers first?

Mr. ROSS. Thank you for that question, Senator. Some of the companies that we have been cited, International Steel Group, there is clearly no question whatsoever, the work that Leo Gerard, the head of the Steel Workers Union, and I did together, Leo believes and I believe probably saved 100,000 jobs in America. And, frankly, that's the series of events I'm most proud of in my entire career.

Second, there was talk in one of the press about International Auto Components and a couple of hundred jobs being moved to Mexico during a little time period. During that same time period, we grew net-net-net our jobs in this country to 11,000 jobs, which was more than a 10 percent increase from what we had before it.

The only reason we moved a couple of workers to Mexico was our business is making interior parts for cars. Those are just-in-time deliveries, so you have to be right contiguous to the factory that you're supplying, the original equipment manufacturer or factory. The customer of those factories that laid the people off moved to Mexico, so there was no longer a customer. That customer asked us to relocate workers to Mexico. We really didn't have much alternative to do so because once the customer is gone, and since he insists that you be right next-door to him so that he doesn't have to keep any inventory, we had no choice. But net-net IAC was an adder of jobs.

Similarly, International Textile Group, it is true that it had to reduce its workforce. It is also true we are probably the last large domestic manufacturer of textiles left standing with maybe one or two other exceptions. And subsequent to our work at ITG, their main union became—used its pension fund to invest in my funds. So, clearly, UNITE, which is the union that has organized the textile and apparel industry, felt that we did responsible things and that we were certainly not anti-worker.

I think, in reality, if we hadn't also begun some foreign operations, we would have had to shut down far more of the domestic activities. So I believe if you add and subtract, we have been a very large net creator of jobs during this whole period in the United States.

Senator NELSON. Mr. Chairman, I'm going to take the prerogative to ask one more question, and I emphasized it in my opening remarks.

Under the NOAA Scientific Integrity Policy, NOAA scientists do not need to ask for permission to share their expertise on scientific matters with the public or with the press. Do you support that right?

Mr. ROSS. I support the dissemination of valid information to the public. I don't think that valid information should be concealed. And in general, I have great respect for the scientific quality of NOAA. It's my understanding that there are four Nobel Prize winners at NOAA, and that is certainly a measure of their expertise.

So I think that communication of factual information and data is very, very important.

Senator NELSON. Do you consider the rise of the sea level as valid scientific data?

Mr. ROSS. It's very hard for me, Senator Nelson, to parse which part of data is what, but in general, I think that there will be a very big report forthcoming from NOAA. Every three years they send a report to the International Climate Group. That should be coming out very, very shortly, and I think it will be very, very interesting to see what their updated findings are on that topic as well as on other topics.

Senator NELSON. Well, Mr. Chairman, just in closing, I will point out that NOAA and NASA measurements over the course of the last 4 decades have shown in southeast Florida that the sea level has risen from 5 to 8 inches. That is data that should be reported again in this report that you're talking about that's coming out. Thank you.

Mr. ROSS. Since you've asked me, sir, not to edit the report, I probably won't have any control over whether they put those specific facts in or not, but I am sure they are mindful of the facts.

The CHAIRMAN. Thank you, Senator Nelson.

I've got Senator Cantwell followed by Senator Blunt followed by Senator Klobuchar.

STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON

Senator CANTWELL. Thank you, Mr. Chairman. I thought you were going back and forth.

The CHAIRMAN. I am.

Senator CANTWELL. OK. Don't leave the room. I guess that's the key thing there.

Mr. Ross, you mentioned obviously maritime issues and fisheries, and for us in the Northwest, this is big jobs—$30 billion in annual revenue and 148,000 direct and indirect jobs in the maritime sector. And I don't have the information right in front of me, but your ethics documentation is not requiring you to divest your Diamond Shipping Company, which operates 33 tanker vessels and transports petroleum products of over $1.2 billion. Is that correct, you're not divesting from that?

Mr. ROSS. That is correct. The research we've done suggests that there has never been a shipping case come before the Department of Commerce. And in our case, the vessels are the most environmentally up-to-date vessels that you are going to find on the water.

As you know, there are some new regulations coming in about ballast water and other things, but we believe that our vessels, even before those rules came in, have been very well brought, for the most part, up to snuff. So we are proud that the vessels are the best we can do environmentally.

In addition, we don't take any risk in the cargo. We simply are like a taxicab. They put cargo on it, we discharge it in another location, and we're paid a fee for so doing. But I will have no involvement with the operation of the business.

Senator CANTWELL. And I think my question—well, first of all, I'm sure when we get into larger infrastructure discussions, there will be a lot of Members of this Committee that will say, "What can we do to provide more shipbuilding jobs in the United States of America?" and I would think there are probably many Members of this panel who believe in shipbuilding in the United States and that there is much more to do.

But I'm sure you remember the *Exxon Valdez,* and I'm sure you appreciate that the pristine waters all throughout the Pacific Northwest are of high economic value. I'm sure you get that, being a Floridian, there is a high economic value to the pristine coastlines of a state.

Mr. ROSS. Sure.

Senator CANTWELL. So my question—and I'm happy to provide this for you for the record, but there are many, many, many, many aspects of your new job that will be about the regulation of this industry: the Oil Spill Liability Trust Fund and how much shippers pay into that; there were obviously after the *Deepwater Horizon* catastrophe similar issues; and there's the Oil Pollution Act governing our maritime liability and response.

So I want to make sure that as these issues are discussed within your organization, if you're still going to hold that position in that company or whether you're going to recuse yourself from those issues.

Mr. ROSS. Well, on issues—our vessels are only transoceanic vessels. We are not Jones Act participants, so we don't do port-to-port——

Senator CANTWELL. Do you support the Jones Act?

Mr. ROSS. The Jones Act is a fact. I've been living with it. I have never voiced any opposition to it. It's just not relevant to what we've been doing.

But the Jones Act has been useful in continuing U.S. shipbuilding. I think without the Jones Act, you would have even less U.S. shipbuilding than you have now because of the requirement that the intracoastal activities be Jones Act-qualified vessels and Jones Act-qualified crews.

Senator CANTWELL. Well, I want to make sure that—I will get this to you, and you can respond in writing, but there will be times in which those interests will be impacted by decisions made by your organization. And if you would take a look at the specific questions and areas where you would recuse yourself in addition to what you've already done with ethics, I would so appreciate this.

Mr. ROSS. Oh, I intend to be quite scrupulous about recusal and any topic where there is the slightest scintilla of doubt.

Senator CANTWELL. Thank you. Well, we'll get back to you. I have a few minutes, a few seconds left. The President-elect's administration is trying to bring in a lot of private sector experience. I appreciate private sector experience, but oftentimes that experience is about answering to shareholders and other special interests. This is about answering to the public interest. And as it regards the huge issues we have on pensions, you know, we've had so many things that have happened in these last several years of our economy where people have been able to come in, reap the assets of companies and organizations, and then leave the Federal Government or the workers with the liability.

Do you support shoring up the miners' pension multiemployer program, and do you support shoring up the PBGC?

Mr. ROSS. Well, let me talk about the pension situation in general. What happens in bankruptcy court is that the debtor, not the potential buyer, but the debtor itself, has the burden of proving to the court that it is not reorganizable without dealing with the pension and retiree health liabilities. The court makes that determination. In every case where we've bought and where the pension plan was terminated, that decision had been made by the court prior to our advent on the scene. So the idea that we terminated anybody's pension plan is simply false.

Senator CANTWELL. I'm not asking that. And I'm out of time. We can come back to this in round two, but I want to know now, when wearing that hat, you know, as Commerce Secretary, I want to know what your viewpoint is from the worker perspective and whether you support shoring up that aspect of the pension program?

And since I'm out of time, Mr. Chair, we can go to round two or we can get a written answer on those questions.

Mr. ROSS. Should I answer the question, sir?

The CHAIRMAN. Well, if—can you be very, very brief?

Mr. ROSS. I will. I'm quite familiar with the Pension Benefit Guaranty Corp, and, as you know, we—Commerce has a board seat on PBGC. They are the insurer of last resort. I think they need to be even more scrupulous about risk-based pricing so that they themselves don't run out of money as further pension obligations find their way to them.

The CHAIRMAN. Thank you, Senator Cantwell.

Senator Blunt.

STATEMENT OF HON. ROY BLUNT,
U.S. SENATOR FROM MISSOURI

Senator BLUNT. Thank you, Chairman.

And thank you, Mr. Ross, for being here, for being willing to serve. And I look forward to your leadership at Commerce and what I think, from everything I read, would be an expanded role beyond Commerce because of the President-elect's confidence in you.

On the infrastructure side, we had Secretary Chao, former Secretary of Labor, and I suspect the future Secretary of Transportation, in the other day, and one of the questions I asked her was about the importance of better intermodal strategy for transportation.

I live in Missouri. The Mississippi River is there, the Missouri River flows into the Mississippi, but across the—we are really at the water nexus of the country, but also the rail and highway nexus of the country. I'm sure all of those need to work together even better for us to have the competitive potential we need. And I would like you to talk just a little bit about your sense of how we look at those more interrelated transportation systems.

Mr. ROSS. Well, as you know, we have been in the railcar manufacturing business for quite a long time, and one of our major products were the types of cars that were best suited to intermodal because there's a role for truck, there's a role for barges, there's a role for rail.

And I think people keep trying, and will eventually succeed, at finding new and better ways to facilitate those transfers from one mode of transportation to another. I think that's a very, very vital thing for this country because for many industries, transportation cost is as much as 20 percent of their total cost. So anything that can be done to facilitate transportation will help the economy just in and of itself, let alone infrastructure spending has a very high labor content, generally around 44 percent. So it's a very good way to provide high-paying jobs to ordinary people.

Senator BLUNT. And if I understood your three-level matrix of how you finance, one was things that have an obvious and easy-to-understand financing component that have access to the credit world because of that; another may have some components, like a rural cable, that could pay part of the bill, but not all of the bill; but then in the middle, you had that greater category of things that just can't happen without a partnership.

Would you give me an idea both of what one of those might be and what the private sector opportunity that we're not seeing or not using effectively could be as we look down the road?

Mr. ROSS. Yes, sir. I think we're fortunate to be coming to grips with infrastructure in a relatively low-interest-rate environment because that will facilitate getting a lot of projects done that could not be done in a lower interest rate environment because there would be a crowding out effect.

But even so, there will be, in many cases, a need either for the public policy decision to have government play a direct role or for a way to encourage private sector to participate.

So I think it won't be one size fits all. It's a very large and every complex problem, and it needs very large, very inventive, and complex solutions.

Senator BLUNT. And you're also proposing that as you look at infrastructure, that we're making a greater effort to incorporate new technologies into that infrastructure?

Mr. ROSS. Yes, sir. And that's a lot of what we're doing in Florida right now. It's not just to get away from the hurricanes, we're also building in extra conduit beyond even the optical fiber that we're putting in, in the first instance to allow for potential developments in the future because it's a lot easier to lay the second or third conduit at the same time than it would be to have to close that up and then come back 5 years from now. So we've been trying to get a little bit ahead of the game. And in that particular case, it's being financed by tax-exempt bonds.

Senator BLUNT. So Senator Klobuchar and I have been particularly involved in the travel and tourism issues, thinking that is often described as the low-hanging fruit in the economy, particularly foreign travel to our country. The current Secretary has been very interested in that; it's part of the portfolio of Commerce.

Would you talk just a little bit about that and how it impacts the economy?

Mr. ROSS. Surely. First of all, having been involved—I worked with the labor unions and the Pan American World Airways bankruptcy. I was their financial adviser. I was bondholder adviser in TWA, preferred stock adviser in Eastern. So I'm pretty familiar with the airline industry, and actually had been on the board of Wien Airlines up in Alaska for quite a while.

I'm a big proponent of the Open Skies policy. I think that's an important thing. I think developing tourism is extremely important. And I think something like a ninth of all the jobs in this country are one way or another dependent on tourism. So it is a powerful economic factor, and it is one of the segments of Commerce Department that I will certainly be paying attention to, if confirmed.

Senator BLUNT. And I'll just say in closing, Mr. Chairman, and, too, Mr. Ross, it's also an area where we've got a very active public-private effort going on right now to encourage people to discover America.

So thank you, Chairman.

The CHAIRMAN. Thank you, Senator Blunt.

Senator Klobuchar.

STATEMENT OF HON. AMY KLOBUCHAR,
U.S. SENATOR FROM MINNESOTA

Senator KLOBUCHAR. Thank you very much.

Congratulations on your nomination, Mr. Ross.

Mr. ROSS. Thank you.

Senator KLOBUCHAR. And thank you, Senator Blunt, for asking those important tourism questions. Of course, Senator Blunt and I won't ask you if you think the Mall of America in Bloomington or Branson, Missouri, are better places to visit than Florida, but I think one of our reasons in taking this on is there is tourism all across America that's very important.

I want to lead with something you and I discussed, and that is iron ore and steel. My state, as you know, is one of the leading producers of iron ore. It's in my family. My grandpa worked as an iron ore miner 1,500 feet underground most of his life. We've had an incredible downturn due in part to overcapacity, but also due to steel dumping that is illegal. And recently there have been some good actions taken by the Commerce Department. Congress has given more funds, which has been helpful. And we've seen a bit of improvement.

And I wonder if you could address how you would build on this work and improve it even more for our hard-working miners and people in the steel industry.

Mr. ROSS. Well, sure. As you can appreciate, I probably have greater familiarity with mining than most people up for this position.

The fundamental problem with the steel industry is overcapacity, particularly in China. China has 1 billion tons of capacity. That's half of the world's capacity. They need something like 700 million tons domestically. They're actually producing 800 million tons and putting 100 million tons out into the world markets often at dumping prices. And so I think one of the things where we do need very careful attention to more tariff activity is the anti-dumping requirements that we should impose on the steel industry and on the aluminum industry as well.

That's a very big issue, and unfortunately until fairly recently, Europe was even more reticent to impose countervailing duties than we are, but finally they seem to be feeling the pinch of it, and they're starting to come around as well.

Senator KLOBUCHAR. Right. As you know, they just launched the Global Forum on Steel Excess Capacity in Berlin in December. So I assume you will be willing to work with our allies on that.

Mr. ROSS. Oh, absolutely. I know many of them anyway because Arcelor had been very active throughout Europe.

Senator KLOBUCHAR. OK. Thank you. And will you work with our Customs and Border Patrol? You and I discussed the issue of these shipments coming in with illegal steel.

Mr. ROSS. Yes. One of the things that horrified me as I studied enforcement is there are literally billions of dollars of countervailing duties that are never collected because the foreigners set up little shell companies here, we impose a duty, there's nobody home when we come time to collect. I think that kind of thing has to be fixed. There's not much point going through a multiyear trade case, if then, in case you win, you don't even collect the countervailing duties. That doesn't change anybody's behavior, and it's a loss of revenue to the Federal Government.

Senator KLOBUCHAR. Thank you. And I appreciate that. I think that's one of the reasons you just got the Steelworkers support from Leo Gerard in a letter dated January 9.

The last thing I wanted to ask you about was Cuba. I lead the battle to lift the embargo. I know that it's an issue in Florida on both sides, and we, of course, have Republican support on this bill as well. My view is 50-plus years of a failed policy is enough. What's your position on ending the embargo?

And then also a second related question deals with the rollbacks. How do you think we should be rolling back any of the existing opportunities for American air carriers' businesses that have come about because of President Obama's executive orders, because a lot of these businesses in America are making plans. We have 1.5 million visitors now forecasted from our country a year.

Mr. ROSS. Well, I must make a confession, I've never been in Cuba, so I have no firsthand knowledge. I do have quite a number of Cuban American friends in Florida, and I notice that it's a sufficiently complex issue that even within individual families there are people who disagree about what should be done. So this is one area I would like to become much more educated in as time goes.

I am aware that Starwood and some other hotel people have already made some deals for Cuba, so there seems to be a lot of interest on the part of American companies in doing business there, but I don't feel I am expert enough in that right now to have a firm view.

Senator KLOBUCHAR. All right. Well, we look forward to talking with you about that. I will put in the record some questions about broadband, the Dig Once proposal we have so that when people are digging for utilities we make sure we lay fiber for broadband, and also about the importance of the foreign commercial service, and, finally, softwood lumber. But we can leave that for the written questions.

Thank you very much.

Mr. ROSS. Thank you, Senator.

The CHAIRMAN. Thank you, Senator Klobuchar.

Senator Sullivan.

STATEMENT OF HON. DAN SULLIVAN,
U.S. SENATOR FROM ALASKA

Senator SULLIVAN. Thank you, Mr. Chairman.

And, Mr. Ross, welcome. I appreciate your willingness to serve and your previous service to our country. And you and I talked about it in our meeting before this hearing, but I had an opportunity to have a front-row seat in some ways working at the National Security Council staff at the White House on economic issues on what happened with the steel industry and what you were able to do, and I think that's something that is an important and positive part of your record. And I know that there are thousands and thousands of steelworkers who appreciated that.

We also had the opportunity to talk about that to me, one of the most important issues that we can face as a Nation right now, and that's the issue of economic growth. And as you know, over the last 10 years, we've had a lost decade of economic growth. President Obama is going to be the first President never to hit 3 percent GDP growth ever in a year, almost never hit it in a quarter. And so the Obama administration has now said, well, that's the new normal, we shouldn't expect to hit traditional levels of American growth, 3.5, 4 percent, 4.5 percent.

Do you agree with that, that the new normal is something that we're achieving our full maximum potential as an American economy at 1.5, 2 percent growth, the numbers over the last 10 years,

or can we get back to traditional levels of American growth? And if so, how do we do that?

Mr. ROSS. I think we can. During the campaign, I characterized the 1.5, 2 percent, not as the new normal, but as the new dismal. I don't think we need to have the new dismal——

Senator SULLIVAN. So you think the narrative that's very pervasive in Washington, D.C., that the new normal is here to stay, this is what we should achieve, this is what we should expect. I think it's a surrender. So you disagree with that.

Mr. ROSS. I'm pretty sure that if that proves true, you won't be seeing me much longer because the President-elect won't put up with it.

Senator SULLIVAN. So how do we get to traditional levels of American growth, 3.5, 4 percent, 4.5 percent? Which, by the way, Democrat and Republican administrations have achieved this.

Mr. ROSS. Right.

Senator SULLIVAN. This has been the—that's the new—that's the normal for America.

Mr. ROSS. Well, I think—I wrote an editorial with Peter Navarro that outlined four planks to the economic policy. One was regulatory reform. I'm not against all regulations, obviously, but I do think that pendulum perhaps has swung a bit further than it should. And I believe the President will roll back some of the regulations. I don't know which ones, but I think he'll roll back some. And that's one of the most frequent complaints I hear from the business community, is about overregulation.

Second is the energy policy, both making us closer to being energy self-sufficient because we still are a net importer of energy, and however you look at it, that's a drain on the economy.

Third is what we've been talking about before, helping our balance of trade, particularly by increasing the exports. I think if we combine each of those and just get a fraction of a percent more growth from each, we'll get to the kinds of numbers that you were talking about.

And last, of course, being the infrastructure. We desperately need infrastructure, not only because of the direct jobs it creates, but inefficient and archaic infrastructure is itself a drain on the economy, the grid. All kinds of things have to be fixed if we're going to be a truly competitive economy.

Senator SULLIVAN. Thank you. And we want to work with you on those four elements of getting back to the traditional levels of American growth.

I want to talk next—and I appreciate you highlighting the issue of fisheries and their importance to coastal communities. You know, in my state of Alaska, employment in the fishing industry is actually bigger than even in the oil and gas industry. So healthy coastal communities, a well-managed sustainable fishery—our fishery is considered probably the most well-managed sustainable fishery on the planet—is very important.

I have the honor of chairing the Subcommittee on Oceans and Fisheries and the Coast Guard on this Committee. So I just want to get your commitment that, as you know, a big part of the Commerce Department is NOAA, is fisheries, is focusing on that data to keep our fisheries well managed.

I just want to get your commitment to working with this Committee, working with me, working with the Subcommittee, on those important issues for the country, for my state, and also on some of the personnel decisions that you'll be making, that the Administration will be making, on having the best people who understand fisheries, understand Alaska. You know, I like to say we're the superpower of seafood. Almost 60 percent of all seafood harvested in the United States comes from Alaska's waters. So if confirmed, I would like to get your commitment to working closely with us on those important issues.

Mr. ROSS. Well, you certainly have it. And I am very mindful of the discussion we had about king crabs coming in from Russia as part of our trade problem. And I assure you that, too, will be something I'll look into if confirmed.

Senator SULLIVAN. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Sullivan.

Senator Blumenthal.

STATEMENT OF HON. RICHARD BLUMENTHAL, U.S. SENATOR FROM CONNECTICUT

Senator BLUMENTHAL. Thanks, Mr. Chairman.

Welcome to the Committee, and thank you for being willing to serve, Mr. Ross.

Let me begin where my colleague Senator Sullivan finished. On the issue of fisheries, as you know, you have very substantial authority under your emergency powers to correct for inequities and overfishing. I would like a commitment that you will consider using those emergency powers to address the flow of certain fish stocks, which you and I have discussed, from the middle Atlantic states to the New England states without the authority to fish at sufficient quotas for the fishermen of New England.

Mr. ROSS. Right. Well, I do remember very clearly our conversation. And I think it will be important to make sure that quotas are allocated properly. I'll need to do research to follow up on the indications you gave me in order to figure out exactly where I come out on exact details.

Senator BLUMENTHAL. This system is broken. It is broken from an environmental and an economic standpoint. It's costing jobs, and it is preventing the United States from using its fish stocks, and instead, as you and I discussed, has resulted in importing——

Mr. ROSS. Right. Well——

Senator BLUMENTHAL.—which destroys livelihoods and economic well-being in the New England states, and I would like your commitment that you will work with me to use your emergency powers, but also to support legislative reform.

Mr. ROSS. I'm very interested in helping balance the payments. I'm very interested in helping the fisheries. So I look forward to seeing the details of the suggested legislation.

Senator BLUMENTHAL. And I want to welcome your modification, I'll put it somewhat delicately, of the plan that you and Mr. Navarro submitted, or your clarification of it, to permit other authorities like an infrastructure bank and a public financing authority, which I think are key to the public side of investment. And

there has to be a robust public investment in our infrastructure, taking advantage of the low-interest environment as you very correctly suggested.

Mr. ROSS. Yes, I think we're very fortunate, Senator, that it is a low-interest rate environment where we're trying to solve this problem. If it were a very high-interest rate environment, the problem would be two or three times as hard to solve.

Senator BLUMENTHAL. Let me focus on another area where I think you have really made a very personal sacrifice. Your service has resulted in your divesting yourself of literally hundreds of millions of dollars in assets so that you could reach an agreement with the Office of Government Ethics. I don't want to embarrass you or presume, but obviously of all of the billions of dollars in holdings that you own now, you have divested more than 90 percent, and you have resigned from 50 positions. The process has been enormously complex and challenging and costly to you personally; correct?

Mr. ROSS. Yes, sir.

Senator BLUMENTHAL. And I want to ask you very directly, shouldn't the President of the United States do the same?

Mr. ROSS. Well, as I understand it, the ethics rules that apply to Senate-approved nominees do not apply to the President.

Senator BLUMENTHAL. But simply as a matter of appearance and morality for that matter, you were able to do it. Why not the President?

Mr. ROSS. I'm not familiar enough, Senator, with the exactitudes of his holdings to have any judgment as to how easy or hard it would be to do it.

Senator BLUMENTHAL. You did it to avoid any conflicts of interest; correct?

Mr. ROSS. That is correct, sir.

Senator BLUMENTHAL. You may head an agency that will have direct authority that potentially could impact very seriously the President's financial well-being; correct? You had, for example, the Patent and Trademark Office.

Mr. ROSS. Yes, sir.

Senator BLUMENTHAL. The President's organization has eight pending applications for new trademarks. His trademarks for hotel, clothing, and real estate, could well come before the Trademark Trial and Appeal Board. You appoint that Board; correct?

Mr. ROSS. Well, I had a discussion yesterday morning with the current head of the U.S. Patent and Trademark Office, and I asked her how she was feeling with the matters relating to her former relationship with Google, and she outlined what I thought was a very thorough process for recusal and determining recusal, and I would intend to emulate the standard that she has set.

Senator BLUMENTHAL. But there is no way to avoid a conflict of interest when the one with that interest is the President of the United States. He is your boss; he's her boss; he is the one who presides over the entire United States Government, and you appoint the judges who will sit on that Appeals Board; correct?

Mr. ROSS. That is correct.

Senator BLUMENTHAL. And so I would respectfully suggest that that conflict of interest is inevitable so long as the President of the

United States refuses to divest himself. Creating the trust as he has done is no substitute for complete divestiture. I realize you can't order him to do so, but you will be in effect put in a very difficult, if not impossible, position as the Secretary of Commerce, who has appointing authority and ultimately approval authority over the Patent and Trademark Office.

Mr. ROSS. Well, I am quite sure everyone will be watching all of those matters, and, therefore, they will certainly be subject to public scrutiny.

Senator BLUMENTHAL. My time is expired. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Blumenthal.

Senator Heller.

STATEMENT OF HON. DEAN HELLER,
U.S. SENATOR FROM NEVADA

Senator HELLER. Mr. Chairman, thank you.

And, Mr. Ross, congratulations to you and to Hilary and to any family member that may be here or may be watching today's hearing. I'm grateful that you're here, and I'm grateful that you are willing to take this upon yourself.

The article that you referred to, based on the questioning from Mr. Sullivan, that you wrote on your four platforms for economic growth, you mentioned regulatory reform. And I thought about that a little bit. You said you weren't sure where the President might be on regulatory reform or what he's going to do the first days of office.

Not knowing that, what would you recommend to him, with your background and experience, that would help immediately in regulatory reform?

Mr. ROSS. Well, I think what we ought to do is to try to deal with things that really inhibit business and yet aren't all that important, a kind of cost-benefit analysis. The part of the CBO that reviews regulations is a very small department, I think it has fewer than 50 employees, so many, many new things that have been put in have never had a cost-benefit analysis. I think the majority of them, in fact, have not. It would be very useful to conduct that kind of analysis as part of the process for determining which things should be rolled back and which should be preserved.

Senator HELLER. So you don't have any specific recommendation at this point?

Mr. ROSS. At this point, no. The President has not asked me for specific recommendations.

Senator HELLER. I appreciate your comments, though, on cost-benefit analysis. I've been arguing for that since I've been here in Congress, that any new regulation that comes out of this Committee or any other committee should have to be run through some cost-benefit analysis in order to be assured that it isn't costing more than the benefits of that particular regulation.

Let's go down to the balance of trade. You mentioned in your four steps also. What's your process, thought process, here on increasing trade?

Mr. ROSS. A couple of things. One, in general, I think it's easier and quicker to negotiate bilateral agreements than it is multilat-

eral. And my concerns about the multilaterals are not that there is anything inherently wrong with them, but as somebody who has negotiated a lot of transactions, I can tell you the more complex the environment within which you're negotiating, the less likely you are to get to a sensible result because what really happens is several things.

Say you're negotiating with 12 different countries. You go to the first one and you want some concession from them. They say, "Yes, we'll give you that concession, but we want something back." So that takes a little nick out of us. Then you go to the next country and you negotiate with them, they take a little nick. You keep doing that 12 times, you get a lot of nicks, and what happens is the other countries get the benefit of things they didn't even ask for because you had to give them to someone else. So I think that's a fundamental concern.

Second——

Senator HELLER. Mr. Ross, I hate to cut you off because I don't have a lot of time, but am I to take from that that you weren't impressed with TPP?

Mr. ROSS. Initially, when I read the first press reports of TPP was very favorable toward it. As I delved into the thousands of pages of document, I came across some things that I felt were not consistent with what had been advertised.

I'll give you a couple of examples. One is the concept of TPP was to build a wall around the countries that were participants, but in automotive, for example, they permit more than 60 percent of the content of a car to come from outside TPP and yet have all the tariff benefits. That didn't strike me as the world's best idea, particularly from the point of view of protecting the automotive industry because in automotive, about 70 percent of the jobs are in the parts suppliers, not in the OEs. So——

Senator HELLER. Again, sorry to cut you off, but I only have a couple seconds.

Mr. ROSS. I'm sorry.

Senator HELLER. Would that argument be that you would then oppose a 35 percent tariff, as the President-elect has proposed, on foreign cars?

Mr. ROSS. I think that it's a complicated issue whether you should have one flat tariff on everything or whether it should be more tailored to the individual situations, and——

Senator HELLER. Do you support tariffs?

Mr. ROSS. I think tariffs play a role both as a negotiating tool and, if necessary, to punish offenders who don't play by the rules.

Senator HELLER. Mr. Chairman, my time has run out. Thank you.

The CHAIRMAN. Thank you, Senator Heller.

Senator Wicker has returned. He's up next.

STATEMENT OF HON. ROGER F. WICKER,
U.S. SENATOR FROM MISSISSIPPI

Senator WICKER. Thank you very much.

Mr. Ross, there has been a lot of talk about outsourcing.

Mr. ROSS. About?

Senator WICKER. About outsourcing of jobs.

Mr. ROSS. Yes, sir.

Senator WICKER. And we need to continue talking about that. But the other side of that is insourcing, and I can just tell you that in my state of Mississippi, we're tickled to death to have Toyota, Nissan, Airbus, Yokohama Tire, building things for the rest of the world and employing Americans right there in Mississippi.

Of course, our states have a lot to do with recruiting these industries, but can you highlight for us your ideas about how to have more of this? As we try to combat outsourcing of American jobs to other countries, how can we insource companies like Nissan and Toyota and Airbus?

Mr. ROSS. Sure. I think the best incentive for foreign companies to come here is, first of all, we're the world's largest markets, and so that's a big encouragement, but if we lowered the corporate tax rate, it will be a further inducement for them to come.

Right now, we're not competitive in terms of our marginal tax rate with many other countries against whom we compete. Take, for example, Mexico; the corporate tax rate there is about half what it is in our country, and that's true in many of the other countries. So I think if we can become more competitive in the tax rate, it would be a very good thing not only for keeping American companies staying here, but also for encouraging foreign companies to come here. So I think that's probably the biggest single tool that we could use.

Senator WICKER. OK. That's the biggest single tool. You're free to give other suggestions.

Mr. ROSS. Oh, surely. I think some degree of deregulation would also be very, very helpful. And if we can use an energy policy that keeps energy costs low, that would be very, very powerful as well. So I'm much more in favor of carrots than of sticks.

Senator WICKER. With regard to a 21st century tax structure that puts us more in line with the modern day and gets us out of 1986, are you involved in those discussions at the transition level? And will you be part of writing the administration's tax proposal?

Mr. ROSS. I believe the President will be listening to some suggestions from me, but he has a whole apparatus on tax that's quite independent of me. But because tax is so important to commerce, I hope that he will have some consultation with me.

Senator WICKER. Well, I think based on your answer to the previous question, the President-elect would be well advised to listen to you.

You've had a lot to say about infrastructure, and let me just tell you, I hope I'm able to assist the Trump administration in supporting an infrastructure program for the United States of America. Infrastructure includes roads, bridges, highways, rail. Do you consider the buildout of broadband to be part of infrastructure? And should it be part of the Trump administration's infrastructure plan?

Mr. ROSS. I think broadband is an essential part. Broadband is, to a very large degree, a path to the future, and I think, therefore, it's a very essential component of economic policy altogether, including the infrastructure component.

Senator WICKER. All right. And you're going to look around the room here and see people from Nevada to Hawaii to Mississippi to

Nebraska, and a lot of rural folks on this Committee. I hope you will commit to this Congress and to this Committee that you will work with us on making rural broadband more accessible and make the buildout more expeditious.

Mr. ROSS. I certainly will try to cooperate with you. As you know, it's the intersection of myriad policy decisions, some of which are quite outside my control.

Senator WICKER. You're probably aware of this, and my time has expired, but you've been around the track. There is a second level of bureaucracy in your department. There is a third level of bureaucracy. You're going to have to fight those people, and sometimes you're going to have to make sure that they understand that elections have consequences.

I want to do a shout-out to your predecessor, Secretary Pritzker, who helped Senator Cochran and me and the Governor of our state and the people in Mississippi who wanted to save lives through an innovative way to put doctors in emergency vehicles, and it took quite an effort on the part of Secretary Pritzker to cut through that bureaucracy and make sure the law was followed.

I hope you can show that kind of determination, too, and we can work on a bipartisan basis with people, with my Democratic friends, and people on our side of the aisle, too, to cut through some of this red tape and do things like Secretary Pritzker did in helping save lives for Americans in Mississippi.

Mr. ROSS. I'm certainly in favor of saving lives, and I'm clearly certainly in favor of enforcing the law, so I look forward to working with you on it.

Senator WICKER. Thank you, sir.

The CHAIRMAN. Thank you, Senator Wicker.

Next up is Senator Schatz followed by Senator Gardner.

STATEMENT OF HON. BRIAN SCHATZ,
U.S. SENATOR FROM HAWAII

Senator SCHATZ. Thank you, Mr. Chairman.

Mr. Ross, thank you for your commitment to serve the public. Your predecessor successfully negotiated a couple of very thorny issues over the last few years regarding telecommunications: the U.S.-EU Privacy Shield and the IANA transition. The successful negotiation of the U.S.-EU Privacy Shield and the smooth transition of the IANA functions from the Department of Commerce to the global multistakeholder community were widely supported by a range of stakeholders, including the Congress. Do I have your commitment to continuity in these respects?

Mr. ROSS. Well, as I understand it, there is no real alternative on the table to the ICAP situation. So for the moment, there is nothing else to consider. I'm not aware that there's a realistic way to do anything about it.

On the privacy side of life, I think we need to balance a couple of things going forward. The treaty, the agreements, that exist obviously exist, but I think going forward, there will be a tension between privacy on the one hand and problems of localization of data and the implications that they have for the Internet as we go forward. So I think that's going to be a very tricky balancing act, but I look forward to consulting with you on it.

Senator SCHATZ. Thank you. In Fiscal Year 2016, the NOAA budget was about $6 billion, making up 60 percent of the Department of Commerce's budget, but in recent years, NOAA's budget has stagnated, as critical coastal and ocean programs have been held level to pay for satellites. As a result, NOAA has had to rely on aging, rundown buoys and ships to measure high-impact global ocean conditions such El Niño events. El Niño events originate in the Western Pacific, as you know, but their impact is felt around the world. The data that NOAA gathers in the Pacific using a small network of buoys is essential for forecasting these impacts across the country.

These NOAA coastal and ocean programs are critical, but they're not as interesting, not as expensive, as the satellite programs that you referred to earlier. What is the strategy to restore balance to the NOAA budget so that all of its critical programs are adequately funded?

Mr. ROSS. Well, the big capital expenditures right now are for the satellites. As you know, there are several more that are scheduled to be launched. And then the next biggest capital expenditures will be to update the vessels.

As someone who has operated vessels, I'm well aware that old vessels are quite inefficient to operate, number one. And number two, that the technology of these research ships has improved quite a bit in the years since those vessels were built.

To the best of my knowledge, they actually are beyond their depreciable life, so they're pretty ancient. As for appropriations and finance to wrestle through, how much money do we get altogether and how much of that gets spent on what? But I do think that it's important to continue both the existing service functions and meet these very pressing capital expenditure needs.

There's a similar problem with the Census. It has been hard getting commitments for the appropriation the Census really needs for its mission, and that's something I hope we'll have further discussion about as well.

Senator SCHATZ. I would like to follow up on Senator Nelson's question regarding scientific integrity. As you know, in 2011, NOAA adopted an explicit Scientific Integrity Policy essentially ensuring independence for NOAA scientists. I'm satisfied with your answer both in this forum as well as in our private conversations, but just so that the record is totally clear, do you intend to uphold the 2011 Scientific Integrity Policy?

Mr. ROSS. Well, as I've said, I believe that science is science, and scientists should perform science. I haven't studied the intricate details frankly of that document, so I can't make a formal commitment to it. But as to the general concept of scientists doing the science, I'm totally in support of that.

Senator SCHATZ. Thank you. And, finally, on the question of trying to facilitate the reaching of our goal with respect to international visitors, and there are a lot of members of this Committee who care very deeply about tourism, part of the role of the Department of Commerce is not just to be a cheerleader for that stated goal that the Department of Commerce under Secretary Pritzker established, but to serve as a convener because there has to be a little bit of wrangling among departments. Some of the issues have

to do with the Department of Transportation and their throughput capacity and certainly the Department of Homeland Security and Customs and Border Protection.

So can we have your commitment to continue the leadership of Secretary Pritzker in terms of convening the agencies and working with the White House and making sure that as we deal with all of our security and homeland security concerns, that commerce and tourism and those national policy objectives have a seat at the table?

Mr. ROSS. Well, I know Secretary-designate Chao quite well from some of her former incarnations, and I look forward to working with her on stimulating tourism.

Senator SCHATZ. Thank you.

The CHAIRMAN. Thank you, Senator Schatz.

Senator Gardner.

STATEMENT OF HON. CORY GARDNER,
U.S. SENATOR FROM COLORADO

Senator GARDNER. Thank you, Mr. Chairman.

Thank you, Ranking Member Nelson, as well as Mr. Ross, for being here this morning. Thank you to your family for being here. I'm all the way over here at the end, so it's—yes, I know. Elaine Chao was here last week, and I think she actually thought I was in the audience sitting over here. So thanks for your willingness to serve the country and I appreciate the time we've been able to spend together in my office.

We talked a little bit about trade and the importance of trade in Colorado, $9 billion worth of exports from Colorado, about half of which, $4.5 billion worth of goods, annually are sent to nations in Asia, and half of our state's exports go to Asian nations. Given the position of the new administration on the Trans-Pacific Partnership, how do we make sure that we are increasing American exports abroad? And just as importantly, what areas, what markets, do you see as the most lucrative opportunities for the U.S. in the next 4 years?

Mr. ROSS. Well, that's obviously a very complex question, and we discussed it some in your office. The things we're the best at in many ways are the technologically advanced things, and I think more research and development, more encouragement of technological breakthrough, is clearly an important thing. But at the same time, we need to protect our existing industries because they really are very much labor-intensive.

And I think we also are going to have to cope with the challenge that's combined with the opportunity of some of the technological advances. For example, driverless cars are probably a very good thing, they seem to be, in any event, an inevitable thing, but that presumably will also lead to driverless trucks. Well, there is something like 3 million American adults who depend on over-the-road trucks for their livelihood, and it's a pretty good livelihood. And then you also have the shorter trip drivers as well.

So I think what we have to do is to figure out how to make sure we get the benefits of the improved technology and yet cope with the dislocation that it inevitably will produce in certain of the industries. So I think that's going to be a real balancing act.

Senator GARDNER. Thank you. In my opportunities to meet with leaders from around the globe, it's very important that we make sure that we continue to be a leader in trade and exports and commerce because as nations look to other nations for leadership, as they look to economic opportunity, we need to make sure that international norms are set on standards that we believe are best for the world and economic opportunity. We should not give other nations a chance to take over U.S. leadership, which is very important because they're relying on the United States to continue to lead.

I want to thank you for your opening statement. Senator Rubio and I last year worked on and will continue to work this year on evaluation of Federal spectrum holdings to make sure that we understand the opportunity cost that having that spectrum held and not utilized means to this country and to the government. So thank you very much for that commitment to the evaluation.

The National Institute of Standards and Technology has a laboratory in Boulder, Colorado, a major campus. Of course, one of the key areas of work that NIST at Boulder pursues is cyber areas. It's a nonregulatory approach that NIST continues, and that's their mission, but they do a lot of work when it comes to cyber. I'm very concerned about our construct in government, the way the Congress works, the way our Executive Branch works, when it comes to understanding cyber, being fully capable of implementing ideas that will protect both our private sector as well as national security interests.

And so will the Trump administration—will you at Commerce continue to—can you commit to preserving the non-regulatory status of NIST to ensure that this work with the private sector on cyber can continue?

Mr. ROSS. Well, I think cyber, if nothing else, was a big enough issue in the campaign that everybody is very sensitized to it for very local reasons. But it is going to be an increasing issue from a whole variety of directions. And, again, it's one of these that's very complicated. You don't want to compromise the privacy side of things; on the other hand, you need real-world protection against people who intend to do us harm, economic harm or military harm. So I think that's a difficult thing that will have to be balanced, and it wouldn't surprise me at all if that will be the kind of thing that will come before the Congress over and over again.

Senator GARDNER. Thank you. In 2015, there were estimates in 2015 that up to $2 billion a day was lost in economic productivity due to the West Coast ports slowdown. Labor agreements for workers on the West Coast and East Coast ports are scheduled for near simultaneous expiration in both 2018 and 2019 respectively, excuse me, 2019 for West Coast, 2018 for East Coast.

In the last Congress, I introduced the Ports Act, which would have provided Governors with the flexibility to address slowdowns and strikes at our Nation's ports to reduce the damage of such catastrophes.

Given how these dates are quickly approaching, and future labor negotiations are moving, how do you plan to avoid similar disruptions at our ports? And will you commit to making sure we have a report on the economic impact it would have?

Mr. ROSS. Well, that, thank you, is a very good and very complex question. We have tried very hard in our commercial activities to avoid strikes and showdown—slowdowns and things of that sort. I think in general, those are the failure of negotiation, and I think, therefore, the first thing is to try to figure out, how can there be a better process for negotiation so that we come to a resolution without this sort of showdown at the OK Corral? I think that's number one, preventive medicine.

Number two, that is clearly much more in the province of the Labor Secretary than it would be Commerce. We will be interested observers, and given that we've had a history with successful work with Labor, to the degree that they want, I will be glad to give my thoughts on how to try to help.

Senator GARDNER. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Gardner. That is an important issue because it affects the supply chain. Everybody was very much impacted by that incident a year ago.

Senator Peters is up next.

STATEMENT OF HON. GARY PETERS,
U.S. SENATOR FROM MICHIGAN

Senator PETERS. Thank you, Mr. Chairman.

And, Mr. Ross, welcome to the Committee. I appreciate the time that we spent in the office together talking about a variety of issues, and certainly one thing that I was very pleased to hear was your extensive knowledge of Michigan and the industry there from the work that you did with the steel industry as well as automotive sector and other industries there.

And I am particularly pleased as well with the comments that you made in regard to a question from one of my colleagues here related to TPP and the impact that the TPP would have on the auto industry, a very negative impact, in particular, with the suppliers in that industry. It would have had a devastating impact on jobs. And it's not about protecting the auto industry; this is just about having fair rules where we treat the auto industry and the workers in America fairly with others. And we know we can outcompete anybody as long as the rules are fair, and I appreciate your stance on that and your comments.

And along those lines, I wanted to address something that is critically important, which is enforcement. If we're dealing with any kind of rules, whether they're trade deals or the legal authority under the WTO, certainly the administration will play a vital role. In fact, you, if confirmed as the Secretary of Commerce, will play a vital role in enforcing those rules.

And under current law, the Secretary can self-initiate anti-dumping and countervailing duty investigations. However, the use of this tool under previous administrations, I'm sad to say, has been virtually non-existent. In fact, I think the last time was in the 1990s. It's been a long time since the Commerce Department has self-initiated these types of investigations.

And normally we only have investigations that are initiated after a formal complaint by an industry. You know firsthand about that from your work in the steel industry. And that's a very imperfect process. Usually, it's large companies with high-priced lobbyists

that get noticed and get action in the Commerce Department, but if you're dealing with small-and mid-sized businesses in Michigan and other states around the country, they don't have the resources, and the impact of unfair trade practices often goes unnoticed and unfortunately not investigated.

If confirmed, will you be more aggressive and commit to using your legal authority as Secretary to enforce the rules protecting against unfair trade practices and self-initiate anti-dumping and countervailing duty investigations?

Mr. ROSS. As we discussed, Senator, when I was in your office, I'm an activist, and I think that that tool of self-initiation is a very useful one for several reasons. One is the one you mentioned. Industries that have a lot of small companies, it's very hard for them to get the data together, to get the funding together, and worst of all, it takes a very long time for them to initiate a case.

I think the duration of these cases has got to be shortened, and anything we can do to shorten it at the front end would be good. Self-initiation is a very good tool for that, and I think it's a good tool in another regard in that, to me, part of any negotiation is the psychology of the participants. And to the degree that we show them we're willing to self-initiate, that's a more aggressive stand on cheating than perhaps has been exemplified before.

So I think it's important both from its actual curative effect, its preventive effect, and the psychological effect on the cheaters.

Senator PETERS. Well, I appreciate that answer, Mr. Ross. And I guess the pushback that we have had from previous administrations as we have attempted to do this is that they have said that they lack some of the resources necessary. That's why I've led efforts to fund the Interagency Center on Trade Implementation, Monitoring, and Enforcement, which is a mouthful, but what they do is assist our efforts in trying to get the self-initiated enforcements. So I would hope that I can enlist your support with bipartisan support here in Congress to provide resources necessary to do that critical function.

Mr. ROSS. We would welcome more resources.

Senator PETERS. Great. Great. Final question, as my time is expiring here: The issue of outsourcing is a critical concern as we continue to see American jobs go overseas. And I know you are committed to trying to stem that tide and bring jobs back and keep the jobs that we have. But what I have found is that it's often difficult to get information as to what jobs are actually being outsourced, where jobs are being created. Companies and others will report that they are hiring workers, but we don't know where those workers necessarily are. We find that the information regarding outsourcing is opaque, incomplete, and often entirely inaccessible. Will you, as Commerce Secretary, commit to work with Congress to develop some new corporate transparency measures that will allow us to have that information so that we can make sure our policies are actively addressing the problem of outsourcing?

Mr. ROSS. Well, I have a very heartfelt saying in management that anything you can't measure you can't manage. So that's one of the things that's good about the Commerce Department, it has all kinds of measurement activities. And I was not aware that this was a particular problem, but certainly understanding the param-

eters of problems helps you figure out how to deal with them. So I look forward to further discussions with you.

Senator PETERS. Great. Thank you.

The CHAIRMAN. Thank you, Senator Peters.

Senator Cortez Masto.

STATEMENT OF HON. CATHERINE CORTEZ MASTO, U.S. SENATOR FROM NEVADA

Senator CORTEZ MASTO. Thank you.

Welcome, Mr. Ross. It's nice to meet your wife as well. And I want to thank you for taking the time to meet with me, and I thought we had a good conversation.

I want to follow up on some of the comments that you've made just to put it on the record. I suspect, based on our conversation, I know where you stand on these, but when it comes to tourism in Nevada, it's obviously a very important issue. Most people don't realize, but just in 2016 alone, there were approximately 43 million visitors to Southern Nevada. This injects $45 billion into our economy, and actually provides good-paying jobs for 400,000 Nevadans.

So something that's very important for Nevada is Brand USA. And we've talked about this, and I just want a commitment. Are you committed to supporting Brand USA as it fits into your strategy to promote travel and tourism?

Mr. ROSS. Everything I've heard about Brand USA is that it's been positive and that it's been helpful. So in the absence of some sort of contrary information, it sounds to me like a pretty good idea.

Senator CORTEZ MASTO. Great. Thank you. Along those lines, the Survey of International Air Travelers is a primary research program which gathers statistical data about air passenger travelers in the U.S. overseas, and U.S.-Mexican air markets. And the Survey data provides information on passenger trip planning, travel patterns, demographics, and spending. It is a survey that is used to analyze visitor segments, and it is used by the Convention Authority in Southern Nevada and all industry groups, and they use the data directly as part of their marketing plans. Will you commit to expanding the scope and size of the Survey of International Air Travelers so that industry can better target their marketing campaigns and attract more tourists from around the world?

Mr. ROSS. As I've said, Senator, I'm in favor of the idea that you can't manage things that you don't measure, so we need measurement of those kinds of data.

Senator CORTEZ MASTO. Thank you. And I appreciate that because I'm a big proponent of data analytics, and I don't think we do enough of that particularly in government.

A part of your role will be overseeing the Minority Business Development Agency. I think the small businesses in the country, this country, are the backbone of our economy, and particularly in Nevada there are over 230,000 small businesses, many of them owned by Latinos, Asians, and African Americans.

One thing I find after talking to small businesses is the lack of access to capital, particularly access to capital for small, minority-owned businesses. We haven't had a discussion on this. I'm questioning your thoughts on promoting and continuing to support mi-

nority-owned businesses, not only in Nevada, but across this country.

Mr. ROSS. I've been a supporter of minority-owned businesses. In fact, at the International Automotive Group, we have had a number of joint ventures with minority-owned businesses in the auto parts space, and I think they can be done very, very well, and they help develop leadership within those communities so that they can go on and do independent businesses on their own. And I think the automotive industry has been relatively a leader in fostering minority business development.

Senator CORTEZ MASTO. So can I get your commitment? I know the Minority Business Development Agency has business centers around the country. I think they're underfunded. I think they need more resources to work with our small businesses. Will you commit to looking at that funding and continuing to support those centers?

Mr. ROSS. Well, as I explained to you, I very much like the idea. I'm not intimate enough with the details of it yet to know exactly what it needs, but the idea I certainly support.

Senator CORTEZ MASTO. Thank you. And then, finally, we've talked about this as well. Many major U.S. corporations are taking a public stance in supporting immigration reform efforts because we know that passing immigration reform will contribute to our economy. And I know in our private meeting we talked about this, and you said you were open to anything that will stimulate the economy. That is our job at Commerce.

So a question for you is, can you commit today to supporting a comprehensive immigration reform package with a pathway to citizenship for undocumented immigrants that would be positive for the economy and stimulate job growth?

Mr. ROSS. Well, as I said when we were together, anything that stimulates the economy in truth, I would be in favor of.

Senator CORTEZ MASTO. Thank you. Mr. Ross, thank you so much. And again congratulations on your nomination.

Mr. ROSS. Thank you very much, Senator.

The CHAIRMAN. Thank you, Senator Cortez Masto.

Next up we have Senator Johnson.

STATEMENT OF HON. RON JOHNSON,
U.S. SENATOR FROM WISCONSIN

Senator JOHNSON. Thank you, Mr. Chairman.

Mr. Ross, I'm over here where Senator Gardner was. First of all, thank you for being willing to leave your life in the private sector and serve our Nation here. I truly appreciate that.

To me, our number one priority has to be to grow our economy, to make sure that we realize the full potential of this marvel we call the American economy. What do you believe is the growth potential of the American economy? Do you have kind of a figure in your head?

Mr. ROSS. Well, I think we can certainly get north of 3 percent growth if we do all the elements of the President's program.

Senator JOHNSON. By the way, that has been the average since the Great Depression, about 3.2 percent to the American economy. So I would hope that's a minimum goal.

You know, from my standpoint, there are four main reasons we're not achieving that full potential: overregulation; completely uncompetitive tax system; we're not using our energy resources; and the fourth I often don't list because there are so many lawyers here, tort reform.

Can you talk about, from your perspective, maybe you've got other ones, I know you're talking about expanding exports, but what do you think are the primary reasons, and kind of expand on the answer if you would, that we're not realizing the full potential of our economy?

Mr. ROSS. Well, I wrote an editorial that outlined the four, what I think are the four, or five key planks: regulatory reform, not just wildly abolishing all regulation, but doing cost-benefit analysis and having sensible regulation; second, improving our trade balance, particularly by stimulating exports; third, having an energy policy that takes advantage of our natural resources and keeps energy prices low; fourth, an infrastructure program that's a sensible one that leads to more efficiency in the economy and a better capability for dealing with the new technologies as they come through. I think if we do all those and we have a sensible tax system, I think the economy will do very, very well.

Senator JOHNSON. Talk about your plans or what you would think would be best suited toward stimulating exports.

Mr. ROSS. Well, I think the first thing we have to do is to deal with the unfair both tariff and non-tariff trade barriers that other countries impose on us. It's a little weird that we have very low tariffs, and that China has very high tariffs. That seems to me to be a bit of an imbalance. And it's one thing to talk about free trade; we would like to have our trading partners also practice free trade and do it in a more balanced manner than has been done at present.

So I think a lot of what we need is elimination of inappropriate and, in most cases, improper trade barriers to us. I think American ingenuity, American management, and American labor can compete very, very effectively if it's a fair fight. In a lot of cases, it's not a fair fight.

Senator JOHNSON. Talk about the non-tariff trade barriers. You talked earlier about we have to adjudicate those claims in a far more rapid fashion. But specifically talk, prioritize and rank, how harmful the non-tariff trade barriers are.

Mr. ROSS. Well, take, for example, automobiles. Some countries with whom we've had treaties agree to lower the tariff, but then they'll suddenly say, "We have a different environmental standard for cars than what you have, and, ha-ha, your cars don't qualify as environmentally correct in our country." I can't imagine that there is anything that our environmental requirements have missed that other countries have found. So it's clearly just a device to make it more difficult for American companies to have to tailor-make cars for that market. So that's one example.

The famous debates over mad cow disease I think are another very glaring example. I eat quite a lot of beef, and as far as I know, I don't have mad cow disease, although some people think applying to be Secretary of Commerce is a sign that perhaps I do.

[Laughter.]

Mr. ROSS. But leaving that aside, it's hard for me to imagine that there is any legitimacy to saying that our beef shouldn't be exported to wherever. If it's good enough for Americans to eat, it ought to be good enough for foreigners to eat. So I think those are a couple of glaring examples.

Other ones are inordinate delays at the ports for undue inspections delaying products getting in, just harassing the export process in general. There are myriad, myriad ways, and as you can gather, I'm quite familiar with a lot of the tactics because I've been a personal victim of them.

Senator JOHNSON. So your approach would be to simply target those abuses.

Mr. ROSS. Yes, sir.

Senator JOHNSON. OK. Thank you, Mr. Ross.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Johnson.

Next up we have Senator Hassan.

STATEMENT OF HON. MAGGIE HASSAN,
U.S. SENATOR FROM NEW HAMPSHIRE

Senator HASSAN. Thank you, Mr. Chair.

And, Mr. Ross, congratulations on your nomination.

Mr. ROSS. Thank you, Senator.

Senator HASSAN. And I'm sorry, we have two hearings going on at the same time, so we're back and forth. And I wanted to thank you again for coming to my office and meeting with me.

I wanted to touch on just about three issues. The first is small business. New Hampshire has been rated the best state for business friendliness in the country, and many of the businesses in New Hampshire are small businesses. In fact, the majority of them are.

During our meeting, you emphasized that one of the Department of Commerce's main roles in finding ways to help small businesses is to help small businesses find ways to grow and be able to export their products. In the most recent monthly report from the Export-Import Bank, New Hampshire businesses and small businesses financed almost $800,000 in exports from New Hampshire.

How will you coordinate and work with other departments and administrations, such as the Small Business Administration and the EXIM Bank, through existing or new collaborative programs to achieve these goals?

Mr. ROSS. Well, I believe that we need some mechanism that helps finance exports. All the other countries around the world have one. I know there have been some individual criticisms of various aspects of EXIM, but I think the idea of some sort of financing tool, particularly for small businesses, is really important. If you're a little manufacturer somewhere in the Heartland and you've never exported, just trying to figure out, "How do you get letters of credit so that you can really do the business?" can be daunting.

And I think that part of the Department of Commerce, with its field offices, needs to be even a better outreach to the small business community to say, "Yes, we know it's a big challenge. We're here to help you. We'll help you figure out the letter of credit." Be-

cause however good their product is, if they're not able to work out things like letter of credit, they're not going to export.

And I think it's tragic that only a couple percentage points of all American businesses ever export anything. That can't be the best solution and it can't be the right solution.

Senator HASSAN. Thank you. I wanted to talk a little bit about what the Department and we can all do to help innovation-based companies. In Manchester, New Hampshire, we have businesses like Scribe Software and Retrieve Technologies, SilverTech, and Dyn, and it's really helping position our largest city as one of the top emerging areas for tech jobs in the country.

So how can the Department of Commerce on its own and with other organizations support innovation-based new and young businesses and really help them grow?

Mr. ROSS. Well, I think we need to outreach. There are also private sector enterprises, like the National Association of Manufacturers, which has some 14,000 mostly smaller companies as members. I'm very grateful that they are one of the groups that has endorsed my nomination for Commerce, and I intend to work very closely with them because I think they have very many of the similar objectives to what you and I discussed in your office.

Senator HASSAN. Great.

Mr. ROSS. And there are other groups similarly. The state development agencies can also be useful things because more and more states have export development agencies, not just those to attract factories to their locales.

Senator HASSAN. Great. Thank you. Third, and I know a couple of the other Senators have touched on the issue of fisheries this morning. I just wanted to touch on a New Hampshire-specific issue.

The work that NOAA does is so important, and I look forward to working together with them in the future. It provides essential and sometimes life-saving information and services, weather forecasts, severe storm warnings, climate monitoring.

But in New Hampshire, we have a particular issue. We have almost, if not exclusively, a small boat fishing industry. The industry is more sensitive to changes in the fee structures prescribed by NOAA than many. And in the new rules, NOAA has said that fishermen will have to pay for at-sea monitors, which in New Hampshire is costing small boat fishermen as much as $700 a day, and it's just not sustainable.

So in 2016, NOAA agreed to pay 85 percent of that cost, but in 2017, unless we do something about it, that cost is going to shift back to our fishers unless another agreement is reached. So how would you approach negotiations with small businesses and industries in this and other situations similar to this?

Mr. ROSS. Well, as we discussed, it's really a question of, how can we set up the least expensive mechanism for assuring that people are adhering to the rules?

Senator HASSAN. Yes.

Mr. ROSS. And usually putting in technological devices is a net saver of costs. It sounds in this particular case like it's the reverse. So I would look forward to researching that and trying to figure out, how do we accomplish the necessary objective of enforcement without putting undue hardship on the small boat fishermen?

Senator HASSAN. Thank you very much. And again thank you for being here this morning.

The CHAIRMAN. Thank you, Senator Hassan.

Senator Udall has returned, he's up next. And then I have Senator Lee.

STATEMENT OF HON. TOM UDALL,
U.S. SENATOR FROM NEW MEXICO

Senator UDALL. Thank you very much, Mr. Chairman.

And, Mr. Ross, I want to welcome you today and thank you for your willingness to serve. I appreciated meeting with you in my office earlier this month. And you have an extensive business background that spans numerous industries. This experience should prove useful to you at the Department of Commerce, where you will lead a diverse collection of agencies. Commerce does everything from forecasting the weather to managing Federal use of wireless spectrum. But the common thread is promoting job creation, economic development, sustainable development, and improved standards of living for Americans. So I certainly want to work with you to ensure that the Commerce Department meets those goals in my home state of New Mexico.

I would like to follow up today on some of what we've discussed in my office earlier this month.

First, Mr. Ross, you are reportedly going to be taking a big role on in renegotiating trade agreements in international trade policy. The President-elect and his family have a wide variety of assets around the world that other countries could seek to use as leverage with the U.S. in negotiations.

If confirmed as Secretary of Commerce, you are committed to divesting your assets, a major undertaking. Would it make your job negotiating international trade issues easier if the President-elect did as you are doing and divested his financial holdings to avoid any complications?

Mr. ROSS. I made the decision that I did because I thought and agreed with the OGE that this was the right thing for me to do. As I understand it, the rules are different as they apply to the President, and I think it's for him to judge what is the appropriate disposition or non-disposition of his assets. I'm not intimate enough with the details of his holdings to even have a clear understanding of just how extensive they are, although I know they are quite huge. So I think that's really a personal decision that he'll have to make.

Senator UDALL. Mr. Ross, but you understand that his businesses are in many countries; the Trump Organization is all over the world, and this could raise some real conflicts for you in terms of doing your job. Will you commit that you will notify this Committee if another country offers incentives or threatens consequences to the Trump family or Trump Organization's assets in the course of your international trade negotiations and efforts to promote exports?

Mr. ROSS. Well, anything that interferes with my job is something that I will have very little tolerance for if I'm confirmed. That I can assure you of.

Senator UDALL. And will you commit to report to this Committee—that's kind of a yes-or-no answer—if another country offers incentives or threatens consequences to the Trump family or the Trump organization assets in the course of doing your job and working on trade?

Mr. ROSS. Well, certainly if they threaten me, I would be able to make people aware of it, but the hypothetical that you're posing might very well be something I'm not even aware of. So that would make it very difficult to inform anyone of anything.

Senator UDALL. Well, I'm talking about if in the course of doing your job——

Mr. ROSS. Right.

Senator UDALL.—and working on trade negotiations somebody comes to you with either a threat or incentive that involves the Trump Organization, would you let us at this Committee know that that was happening?

Mr. ROSS. Well, I'll tell you two things. I know the President-elect quite well, and I think people who threaten him or offer inappropriate things will find he doesn't take that very lightly. There will be a very strong response on his part, quite independently of anything I would do.

Senator UDALL. Well, I'm urging you to try to let us know if that situation comes up because I think it's very important in terms of the objectives of your Department to make sure we keep those conflicts out.

Now, Mr. Ross, Democrats understand a lot of the frustration about trade that President-elect Trump campaigned on. During my time in Congress, I've supported some trade agreements and opposed others that I believed hurt American workers and chipped away at environmental protections. For example, I voted against permanent normalized trade relations with China and more recently came out in opposition to the Trans-Pacific Partnership.

My question really is, will the Trump administration use TPA to pass trade deals without amendment from Congress, which really cuts our constituents out of this and cuts Congress out?

Mr. ROSS. Well, that is certainly a decision the President would have to make. If confirmed, I don't believe I would have the unilateral power to make that decision. That's something that would be at the Presidential level, and I'm sure he would take into account whatever considerations he could under the prevailing facts at that particular point in time.

Senator UDALL. Do you personally support the use of TPA for trade deals?

Mr. ROSS. I think you need to assure your counterparty that there's a reasonable and quick process for solving the negotiations. So far, TPA is the law of the land, and until there is some specific alternative proposed, I don't think there is any real alternative to it.

Senator UDALL. Thank you for your courtesy.

Sorry, Mr. Chairman, for running over a little bit there.

The CHAIRMAN. Thank you, Senator Udall.

Senator Lee is up next.

STATEMENT OF HON. MIKE LEE,
U.S. SENATOR FROM UTAH

Senator LEE. Thank you, Chairman Thune.

And thank you, Mr. Ross, for being here today. I look forward to our conversation. I've enjoyed hearing your responses to questions asked by my colleagues. And I enjoyed meeting with you last week as well.

Throughout the 2016 election cycle, we heard a lot from President Trump about our country's approach to international trade and about the fact that international trade generally, and, in particular, international trade agreements, have culminated in things that Mr. Trump insisted were negative consequences to American workers and to the economy.

He stated that he would have the Secretary of Commerce, the person holding the seat that we're now considering you for and that you will hold if you're confirmed, along with the U.S. Trade Representative to, quote, identify all foreign trading abuses that unfairly impact American workers and direct them to use every tool under American and international law to end those abuses immediately.

I certainly believe that our country should not accept any trade deal or any practice under any trade deal that unfairly harms Americans. And for similar reasons, I also think that we should be cognizant of the fact that any action we take in retaliation, whether through retaliatory tariffs or otherwise, can also bring about a set of circumstances that could be adverse to the American people, some unpleasant consequences. There are some risks that have to be taken into account where you have to wonder whether in some cases the medicine might be worse than the underlying ailment for which the medicine was administered.

So I would ask you, if you're confirmed to this position, as you're considering in that position a particular trade deal or a particular action to be taken relative to trade, will you take into account the potential retaliation on American consumers and American supply chains what spillover consequences these might have and take those into account in making the decision?

Mr. ROSS. Well, surely. Having been part of those supply chains, I have some fair understanding as to how they work and how they're essential.

But on the topic of retaliation, my mindset will be that of a world's largest customer dealing with his vendors. I view these other countries with whom we have trade deficits as our vendors. And while you need to treat the vendors with respect, they must also treat you as their largest customer, both with respect and, more importantly, playing by the rules of the road. And to the degree they don't, it must be enforcement because we are a country of the rule of law. Some of these other countries are instead the law of the ruler. That's an asymmetry that permeates all kinds of sectors of their economies and ours, and we need to deal with that.

Senator LEE. Thank you. I appreciate your commitment to that, to the rule of law. It absolutely is important. It's been a key part of why our economy has been so successful and a key part of what makes us competitive in the global marketplace. And I appreciate your willingness to consider those potential spillover effects.

You know, as you know, Article I, Section 8, the very first clause of Article I, Section 8, where most of Commerce's powers are outlined, gives Congress the power to set tax rates, among other things, to lay and collect taxes, duties, imposts, and excises, and the third clause of that same section also gives Commerce the power—Congress the power to regulate Commerce with foreign nations in between the states.

Do you believe that Congress should have a role in determining trade policy? And will you commit to work with us and to consult with us before taking any action on your own?

Mr. ROSS. Well, I certainly believe it has to be an interactive process between Congress and each of the departments. And I see no reason that I would deviate from that practice.

Senator LEE. In the final seconds I have, I just want to note I appreciate your willingness to look at spectrum, to take a look at the spectrum that the Federal Government currently holds and to look at areas where we might be able to release some of that federally held spectrum that will help us address some real significant needs that we have in rural states and states like mine, like the state of Utah, where we could benefit from it.

I see my time is expired. Thank you, Mr. Ross.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Lee. And ditto on the spectrum issue.

Next up is Senator Young.

STATEMENT OF HON. TODD YOUNG,
U.S. SENATOR FROM INDIANA

Senator YOUNG. Thank you, Chairman.

And, Mr. Ross, thanks for your interest in serving here in this capacity. I enjoyed our visit some days ago.

And I would like to begin by asking you a question about the steel industry. In my state of Indiana, the steel industry employs directly roughly 25,000 Hoosiers, and I routinely hear from those individuals, their families, members of their community, that they have concerns about the market-distorting practices from the Chinese government, something that may have come up earlier today in the midst of my other two confirmation hearings.

This overcapacity issue that threatens numerous Hoosier manufacturing jobs is one that has really come to the fore over the last 8 years. And the incoming administration has routinely pledged to fight very hard on behalf of American workers. They've indicated the Department of Commerce would have an expanded role in advocating on behalf of fair trade practices.

Could you please elaborate on your plans to push back against unfair trade practices from China and other steel-dumping countries?

Mr. ROSS. Yes. I'm glad you point out that it isn't just China, and part of my feeling is that China is the largest but by no means the only problem in that regard. There is a global problem of overcapacity, but it's mainly focused in China.

And an interesting fact in terms of the question of government subsidy, there are some of the state-owned enterprises, something like a third of them, have never made a profit, they keep—they're

being kept alive by the state-owned banks. To me, that looks and feels and tastes a lot like artificial subsidy.

So I think we need to be very sophisticated in the way we look at the forms of subsidy. It isn't just things like VAT and it isn't just things like that, it's all kinds of intricate corporate relationships, many of which have not really been attacked before. I think we will be very scrupulous if I'm confirmed at dealing with those issues.

Senator YOUNG. Well, that's very encouraging. We don't want to jump to conclusions too quickly. One is very quick when prices rise, to charge monopolistic pricing; when prices are the same level roughly, they charge parallel pricing; and when a competitor has undercut us, we often say that dumping is going on. So we want to make certain that we are sure that's what's occurring, but at the same time, we want to act, and we want to act boldly. And I hear your commitment to do that here today.

Indiana is home to many auto manufacturers that have global supply chains, something that was just invoked. For example, GM's assembly in Roanoke employs nearly 4,000 Hoosiers. Subaru in Lafayette employs 5,000; Toyota in Princeton, roughly 4,500 Hoosiers. Then we have a whole distinct recreational vehicle industry up near Elkhart.

So these jobs provide Hoosiers with a secure middle-class income at a time when a lot of people are anxious about their ability to land those jobs and to keep them. Can you reassure the tens of thousands of Hoosiers, autoworkers and others, whose jobs rely on free trade, that their livelihoods will not be put at risk by restrictive tariffs which might interrupt these global supply chains?

Mr. ROSS. Well, as I've said quite often publicly, I think the best way to deal with the trade deficit is increased exports. I think that's the A number 1 priority. B, number two is to get the Toyotas and other companies like that to build their factories here so that workers do have not only continued employment but enhanced employment. And I think with the right tax policies, regulatory policies, and other policies, we can accomplish that.

Senator YOUNG. But it's your goal with respect to tariff policies that you consult with others in the Administration——

Mr. ROSS. Well, I——

Senator YOUNG.—for there to be no interruption to those Hoosiers, tens of thousands, who are currently employed in the auto industry and other industries who reply upon global supply chains.

Mr. ROSS. Well, I well understand that, having been part of it——

Senator YOUNG. Yes.

Mr. ROSS.—I very well understand it. Tariffs do have a useful role. They do have a useful role in correcting inappropriate practices. They also do have a useful role as a negotiating tool. I'm keenly aware of Smoot-Hawley and the effect that it had on trade in general and our trade in particular, and if there is nothing else, we can learn from history that that kind of approach didn't work very well, and it didn't work very well then, and it very likely wouldn't work very well now.

Senator YOUNG. I'm encouraged that those historical lessons will inform your practices as the next head of the agency. Thank you.

The CHAIRMAN. Thank you, Senator Young.

Senator Duckworth is up next? Are you ready, Senator, or would you like us to——

STATEMENT OF HON. TAMMY DUCKWORTH,
U.S. SENATOR FROM ILLINOIS

Senator DUCKWORTH. Thank you, Mr. Chairman. We had some microphone issues. There we go.

Mr. Ross, congratulations on your nomination, and thank you so much for visiting with me last week to discuss the issues that are so important to Illinois' workers and our economy.

When we met last week, I think we had common cause in our shared conviction that rule breakers should be held accountable, and if those rules are set by the international trading system, then we should exercise our rights to enforce those rules and penalize the rule breakers.

And we talked at length about the impact illegal steel-dumping has had on our Nation's economy, and particularly in Illinois, where it has contributed to over 2,000 Granite City steelworkers getting laid off, through no fault of their own, just days after Christmas a couple years ago.

I've been pushing for stronger enforcements against violation of trade laws that make it difficult for American manufacturers, including steel, to compete. Will you work with me to crack down on currency manipulation?

Mr. ROSS. Yes. I think currency manipulation is just another device, another non-tariff barrier, that countries use to attack our economy.

Senator DUCKWORTH. How would the Commerce Department plan to make enforcement of trade laws a priority, and here I'm talking about timely enforcement, before workers have lost their jobs?

You and I spoke a little bit, and I told you the story of U.S. Steel in Illinois, where because of illegal dumping of foreign steel, they had to cut down production and lay off all of those workers. And the steel company itself that was going into bankruptcy had to take on the responsibility of bringing the case to the international court system. That is, I feel, an unfair burden on these companies that are already suffering from the currency manipulation, the dumping of products, by competitors. At the same time, their competitors abroad don't have to take on that burden. Can you speak a little bit more to this process?

Mr. ROSS. Yes. As we discussed, Senator, I like the idea of occasionally using self-initiation by the Department of Commerce to bring these cases. It will shorten the duration of the preparatory time, and if we're also stricter about not granting extensions to the perpetrators. Historically, the people who have been the dumpers refuse to comply on a timely basis with requests for information. I'm not going to look—if confirmed, I would not look very kindly on the perpetrators deliberately delaying cases by not providing information.

Senator DUCKWORTH. You had mentioned the potential in our meeting for having a special liaison in your office or someone who would work to be the point person—and you can correct my phras-

ing—for bringing forth these cases when American industry is being unfairly burdened so that it's not on the shoulders of U.S. Steel to bring the case to the international court system. But they would have someone in Commerce who is already looking out and able to be that point person.

And can you talk about how you would set up that, I don't know if it's a person or an office, what the relationship would be to you as Secretary?

Mr. ROSS. Right. Well, first of all, we're not going to self-initiate every case, we don't have the staffing to do it, but I think by picking strategic cases and initiating them, it will, A, send a message to the people on the other side that we're getting more serious about this; second, it would definitely accelerate the process. And, therefore, I'll figure out some way, if confirmed, to allocate people power to that activity. It will be a much more important activity if I'm Secretary of Commerce than it had been historically.

Senator DUCKWORTH. Thank you. I think for the families of those steelworkers, time is of the essence. They're the ones who are missing mortgage payments. They're the ones who now have to tell their children, "You can't go back to college because we can't afford tuition." They're the ones who are about to lose their homes. So anything that we can do to speed up that process for any of America's industries, not just the steelworkers.

I would like to shift a little bit and talk about the Minority Business Development Agency. What new support will you give the MBDA to answer the growing call for a larger footprint of services so more minority businesses can grow through M&A and high-tech opportunities?

Mr. ROSS. Well, I think it's an essential thing because those are some of the industries of the future. I think what we will need to do is to find people who have the technological capabilities. And as you and I discussed, one of the problems is our educational system is stinting on STEM—science, technology, engineering, and math courses, and we're also stinting on vocational training.

So one of the problems is there is a lack, particularly in some of the minority communities, of the capabilities to do that. And that's a very serious problem. We can hope to cope with some of that with apprenticeship programs. We, as a country, are the worst in the OECD on having apprenticeship programs. We're also the worst on having vocational training.

So I think we have to have an overall approach to solving the problem of making sure that people are qualified to do the technological innovation.

Senator DUCKWORTH. Thank you. And if there is a second round of questions, I will definitely be asking about what you are going to do for existing minority-owned businesses today.

I'm out of time, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Mr. ROSS. Well, the entity within Commerce, I have been told, has done a pretty good job. I hear reports that people are pretty satisfied with what it's been doing, but there is always more that you can do to be more aggressive in helping. So I will work with the staff of the MBDA to try to figure out how we can most sensibly expand those activities.

The CHAIRMAN. Thank you, Senator Duckworth.

Mr. Ross, I would defer to you on this, in terms of when, if you would like a break. We have a number of Members to get to in the first round, and a couple who would like to ask questions in a second round. So I assume at some point you would want to take a break, but I'll—whenever that point occurs——

Mr. ROSS. Well, I could go another 10 minutes, sir.

The CHAIRMAN. OK. We have in order right now Senator Booker and Senator Fischer.

STATEMENT OF HON. CORY BOOKER,
U.S. SENATOR FROM NEW JERSEY

Senator BOOKER. Mr. Chairman, as always, I would defer to Senator Fischer on anything. So if she would like to go first, I can go second.

Senator FISCHER. No, no, you were here before me.

Senator BOOKER. Thank you very much.

Mr. Chairman, thank you.

Mr. Ross, it's very good to see you. Thank you very much for taking time to come and sit with me. I know it's an expected gesture, but it meant a lot to me, and I appreciated our conversation.

I want to start with the first issue I started with when you came to my office, and that's the issue of infrastructure. In last week's hearing with the Secretary of Transportation nominee Chao, she told me that she believes that President-elect Trump's $1 trillion infrastructure package will include direct Federal spending.

While I know you and I talked about the totality of the picture in my office, the report that you co-authored for the campaign really only talked about tax breaks to private investors. You and I both know there are many ways to invest in projects, especially those, as we discussed, that don't have a clear obvious revenue stream, especially those that often affect people in rural areas, people in poor communities, people that often need critical infrastructure to live healthy lives to be able to pursue happiness, life, and their liberty.

Your report says, rightfully, that there are about 2,000 additional water systems with excessive levels of contamination, including those that serve our schools and day care centers. Do you agree that repairing and rebuilding water infrastructures in places like Flint and Newark, where residents cannot afford utility rates, requires direct Federal spending, especially given the consequences to the development of children who have elevated blood lead levels, which are not lead poisoning, but just elevated blood lead levels, which are directly correlated to poor performance in school, a lack of executive function. For the most important economic agents in our Nation, lead undermines their success and contributions in the economic marketplace.

Mr. ROSS. Well, those situations, it seems to me, are a matter of public policy, and that will take cooperation between the Congress and the President to solve. The infrastructure paper that I put out, as you know, Senator, was meant to provide another tool, not to be the be-all and end-all. And I certainly think there's a role for the Federal Government to play, just as there is for state and local

government to play, in dealing with some of these critical infrastructure needs of communities.

Senator BOOKER. So I appreciate that. And just succinctly then, you support direct spending by government on infrastructure.

Mr. ROSS. I think there will be some necessity for it. Whether it's in the form of guarantees or direct investment or whatever, but it's really for the Congress and the President to figure out what should be the quantity of it and what should be the nature of the projects.

Senator BOOKER. But as a person with vast business experience, understanding how balance sheets work, people who are concerned about debt to GDP ratio, investments in infrastructure, especially in the region that you and I both know best, you might call it the greater New York metropolitan area, I call it the greater Newark metropolitan area, you understand that investing in infrastructure produces two to three dollars of return in economic growth, and that could be a wise business investment; yes?

Mr. ROSS. Well, as you know, I think the labor content and the profit content of infrastructure construction can go a long way toward offsetting tax revenues that aren't there because labor content is around 44 percent in an infrastructure project. So if you allow for the wages on that, then you allow for taxes on the profit of the contractor, you have something coming back in.

Senator BOOKER. I appreciate it could be really economically stimulative; correct?

Mr. ROSS. Yes.

Senator BOOKER. Yes, sir. And so I also understand that the President-elect team is putting together a list of specific high-priority infrastructure projects from around the country that they plan to seek funding for. What's the criteria for those projects to be included on the list? And will that list be shared soon? And do you and President-elect Trump plan on requesting direct Federal spending for those high-priority projects?

Mr. ROSS. Well, I don't think the list has been refined as yet. You probably saw in the media recently he has appointed a business partner of mine, Richard LeFrak, and Steve Roth to head up the infrastructure consulting project. So I think they will play a big role in helping him determine what are the key projects and how to implement them.

Senator BOOKER. And not just because you're a young man born and raised in New Jersey, and Mr. LeFrak is obviously from New Jersey as well, but you understand that the busiest river crossing in all of North America is the Hudson River crossing, that that is a chokepoint for our Nation in one of the most economically productive regions on the globe, and the fact that that infrastructure is failing now. It is critical that we open up those arteries like a stint on the Northeast Corridor, where more people travel by rail than they travel by air. You understand the urgency of that project given the role of this region in the GDP of our country.

Mr. ROSS. I surely do, Senator. You and I have probably made that crossing more often than anybody else in this room.

Senator BOOKER. Thank you, sir. Thank you very much.

Mr. Chairman, thank you.

The CHAIRMAN. Thank you, Senator Booker.

Next up is Senator Fischer.

STATEMENT OF HON. DEB FISCHER,
U.S. SENATOR FROM NEBRASKA

Senator FISCHER. Thank you, Mr. Chairman.

And thank you, Mr. Ross, for your willingness to serve this country in the position of Secretary of Commerce. As you know, the Department of Commerce has put a lot of work into thinking of ways to encourage the growth of the Internet of Things, and I commend the Department for those efforts. Senators Booker and Gardner and Schatz and myself, we recently reintroduced the Digit Act, which would create a working group convened by the Department of Commerce to make recommendations to Congress on ways to advance the Internet of Things.

As Secretary, would you plan to continue the Department's efforts to collaborate with both private stakeholders and other government entities, including Congress, to encourage the development of the Internet of Things?

Mr. ROSS. Well, I think all aspects of Internet need encouragement. There are issues, technical issues, privacy issues, and such as that that come up, so it's not a simple subject. But when President-elect Trump convened the meeting of the high-tech CEOs some weeks ago, he was kind enough to have me be very much involved with that. And I was impressed with how willing the high-tech people were to work with the new administration to try to deal with these kinds of issues even though, as it happens during the campaign, we would not necessarily be the recipient of much support from them.

So I think that was a very good thing, and some of those leaders have followed up with me subsequently with some more specific suggestions. So I look forward to a constructive relationship in that series of areas.

Senator FISCHER. That's good to hear. As you know, the Internet of Things, when we look at all that can be created and the innovation that takes place and really the business growth for entrepreneurs, it is going to be a huge area for growth in this sector and one that I've enjoyed working with on a bipartisan basis with Members of this Committee.

We also discussed during our meeting that agriculture is the economic engine of the state of Nebraska. In fact, cattle outnumber people four to one in our state. And Nebraskans work very hard to produce food, fiber, and fuel for the rest of the world.

In 2015, Nebraska's agricultural exports amounted to roughly $6.4 billion, and of that, our delicious Nebraska beef exports accounted for about $1 billion. And that is why access to global markets is really extremely important to my constituents, all the people of Nebraska.

If confirmed, what approach do you believe that you will take to ensure that we have those global market opportunities and that they are available for industries like Nebraska, where we can continue to grow and develop?

Mr. ROSS. Well, agriculture certainly is one of the industries where we remain the world leader in technology and in execution. So it's one of the very strong points of our economy.

Second of all, many of the other countries, our trading partners, literally cannot feed themselves, so they're going to have to buy food from somewhere outside.

Take China, for example, only 13 percent of that huge land mass is arable because so much of it is desert, so much is mountainous, so much is just not farmable. So there are some structural disadvantages that many of our trading partners have where they very much need us. I think that is actually not something to be feared in those negotiations; I think it's one of our strengths.

Senator FISCHER. Yes, obviously.

Mr. ROSS. And soybeans basically come from two places, U.S. and Brazil. I don't know where they would get the soybeans if somehow they tried to cut us off.

Senator FISCHER. Right. Thank you. There was some talk earlier about federally held spectrum, and the NTIA has a very important role in making more spectrum available for commercial use, which I think is a laudable goal.

I am also a Member of the Senate Armed Services Committee, and as such, I believe it is also very important that the agencies that are responsible for protecting the homeland have the spectrum that they need to do that.

As Secretary of Commerce, how would you approach the task of balancing the commercial sector's need for additional spectrum while still obviously recognizing but also putting as a priority the importance of our national security and making sure we have the spectrum needed to defend this country?

Mr. ROSS. Well, for sure, the first—the vast majority of the federally occupied spectrum that's unused now is in the hands of the Department of Defense. So the first objective has to be do no harm. We can't compromise national defense homeland security at all, but we also need to be rational, and it can't be that there's hoarding. And I think one of the tricky problems is, how do you incentivize any department that has the spectrum to give it up? I think that's the trickiest part, is how to motivate them to do so, and that's something we should all give some thought to.

Senator FISCHER. Thank you very much.

Thank you, Mr. Chair.

The CHAIRMAN. Thank you, Senator Fischer.

How are we doing, Mr. Ross? Would you like to——

Mr. ROSS. This would be an opportune moment.

The CHAIRMAN. All right. Good. Well, let's take a quick 10 minutes and reconvene as quickly as possible so we can keep plowing on. So thank you. We will briefly recess.

Mr. ROSS. Thank you, Chairman.

[Recess.]

The CHAIRMAN. All right. We're back. We will pick up where we left off and start with Senator Cruz for his questions.

STATEMENT OF HON. TED CRUZ,
U.S. SENATOR FROM TEXAS

Senator CRUZ. Thank you, Mr. Chairman.

Mr. Ross, congratulations to you and your family on this nomination. I think you're going to do a terrific job, and I look forward to this Committee working closely with you.

I'll tell you one of the things I'm most excited about. You and I had an opportunity to visit at length, and your commitment to regulatory reform, to working to reduce the burdens of Washington on small businesses and job creators, I think is critically important, and I think it is shared by Cabinet appointees throughout this administration, and that is one aspect that is going to have among the most dramatic impacts on bringing back jobs, expanding the number of high-paying jobs, and raising wages across the country, and so I commend you for that.

I want to talk about a number of specific areas. I want to start with addressing spectrum, which, as you know, has been a long time interest of this Committee. And the demand for spectrum continues growing at remarkable levels. Indeed, U.S. mobile data doubled usage from 2012 to 2013, and it's projected to increase by 650 percent by 2018.

And spectrum is always scarce, but that's exacerbated by the fact that the Federal Government owns or shares roughly half of the spectrum, and that presents both a challenge and an opportunity. It is a challenge in that government agencies have been notoriously reluctant to give up or share any of the spectrum that they have control of. It is an opportunity in that it provides the potential for billions of dollars of revenue to the Federal Government while at the same time opening up new spectrum that can create millions of high-paying jobs and increase wages across the country.

So I wanted to ask you, I think there is room for a lot of creative policymaking working with your fellow Cabinet members who have control of spectrum to find a way to incentivize those agencies to work to make more spectrum available for the public and have it be a win-win all around. I wanted to ask you to comment on that, and, in particular, for your commitment to work with me and work with this Committee to explore significantly increasing the bandwidth and spectrum that's available to the public and the revenue accordingly that would be available to the Federal Government.

You need to turn your microphone on, sir.

Mr. ROSS. I think it's absolutely essential, Senator, that we do that. I think the tricky part is the one that you and I discussed at some length, which is, how do you incentivize other agencies to give up the spectrum that perhaps they don't really need? I think there is a natural tendency for everyone to want to keep on to things in case they need it.

So I think the tricky thing, which probably would involve public policy questions for the Congress, would be, how do you provide some sort of an incentive? If there is something that Commerce itself can do, if confirmed, I will do my best to put that into effect, but I don't see anything immediately obvious as a solution that Congress itself could do.

Senator CRUZ. Well, I look forward to our working together and to solve that together creatively.

Let me shift to a different topic, which is there has been growing concern about China making acquisitions in the United States, and, among other things, gaining significant influence in the U.S. movie industry, making major acquisitions, potentially creating an environment where entertainment companies in the United States engage in self-censorship because of foreign ownership. That con-

cerns all of us who care about free speech and do not want to see speech censored by other nations.

Do you share those concerns? And what steps do you see potentially that we could take to mitigate those concerns?

Mr. ROSS. Thank you, Senator, for that question. I think it's one of the most important questions facing us right now. And it's not just food. The food is certainly an element of national security by any measure, but it's also little high-tech companies. They're making a lot of venture capital investments, and maybe the dollars aren't so significant, but the technology potentially is. In areas like semiconductor, I'm very, very concerned about that because they are the world's largest—they, the Chinese, are the world's largest consumer of semiconductors, so far are mainly importing it a lot from here. And semiconductors are a basic building block.

Second, when President-elect Trump convened the high-tech CEOs a few weeks ago, I was struck to learn from them that the closer they get to content, the more constrictive the Chinese are on their activities. So it seems not very reciprocal that they want to control entertainment and other media here and yet are denying our companies anything getting remotely close to that. So there isn't even a balance, and that's a separate problem that's characteristic of a lot of the relationships with them.

Senator CRUZ. I look forward to working with you on that issue. My time is expired, but let me briefly ask a final question, which is this Committee has expressed considerable concern over the decision of the prior administration to transfer control of ICANN, the basic infrastructure of the Internet, to a consortium of foreign countries, including countries like Russia and China and Iran.

Do you share those concerns and will you commit to working with this Committee to ensure that we protect free speech on the Internet and that we do not allow enemies of free speech to exercise authority that restricts our freedoms here in America?

Mr. ROSS. Yes. As such a big market and really as the inventors of the Internet, I'm a little surprised that we seem to be essentially voiceless in the governance of that activity. That strikes me as an intellectually incorrect solution. But I'm not aware of what it is that we actually can do right now to deal with that. It exists. If some realistic alternative comes up, I'll be very interested to help explore it.

Senator CRUZ. Very good. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Cruz.

Senator Baldwin is up next.

STATEMENT OF HON. TAMMY BALDWIN,
U.S. SENATOR FROM WISCONSIN

Senator BALDWIN. Thank you, Mr. Chairman.

And, Mr. Ross, it's good to see you again. I appreciate your coming by my office last week to discuss various trade issues, and that's where I want to start. You authored the Trump Trade Doctrine, and it's something I think I shared with you. At first glance, I agree with substantial parts of it.

Like you and President-elect Trump, I believe that we need a new approach to trade, and I hope that we can, in fact, work to-

gether on creating a new trade agenda that increases wages, creates jobs, cracks down on cheating from countries like China, and strengthens the manufacturing sector in our country and in states like Wisconsin.

I hope that we can work together to achieve these goals in the years ahead. While trade has gained a lot of national attention recently, it's really been on the top of my mind for many years, and certainly my constituents, too. Given that we share some of the trade priorities, I would like to take the opportunity of this Q&A to drill down a bit further into some of your plans to ensure that they will improve economic opportunities of Wisconsinites, who are on the brunt of some bad trade deals very directly.

Mr. Ross, you and the President-elect have spoken often about your desire to renegotiate one of our Nation's trade agreements, NAFTA. I, too, have concerns with that agreement, most notably, its prohibition of Buy America programs. The procurement chapter of that agreement allows Mexican and Canadian companies to bid for American taxpayer-financed projects as domestic companies. Can you commit to eliminating the procurement chapter in NAFTA?

Mr. ROSS. I think all aspects of NAFTA will be put on the table, and that certainly is going to be a topic that would come up, but you don't have a deal on anything until you have a deal on everything, so exactly what would come in a final treaty or not is a little bit premature to say, but I'm certainly aware of the issue and certainly aware of the President-elect's view about Buy America.

Senator BALDWIN. Let me ask it then in a slightly different way, understanding the complexities of renegotiating multilateral trade agreement. Going forward, do you believe that our trade agreements should allow foreign companies to bid as American companies for taxpayer-funded projects?

Mr. ROSS. I think it's a highly questionable practice, and I think that it is one that has to be done with extreme care. There are probably some few segments where there may be a technology that someone has that we can't avail ourselves of. There may be some circumstances where it's totally appropriate. But many countries have the equivalent of Buy America, so that's not an unusual factor.

And the Chinese, most of all, have very good—good in the sense of strong—policies, and I think that there should be a reciprocity, and at least if American companies can't bid on projects there, it doesn't strike me as very logical that their companies should be able to bid on projects here.

Reciprocity seems to me as a fundamental principle, even of the WTO, and it's one that's mostly honored in the breach by some of our major trading partners.

Senator BALDWIN. In the Trump Economic Plan, you discuss the outsourcing phenomenon as caused by both a push of burdensome American regulations and the pull from foreign countries who do not have our labor or environmental standards. You've also been critical of the Obama administration and their actions to prevent climate change and to protect labor rights domestically.

In order to level the playing field, as you propose, will you commit to holding our trading partners to higher standards or only to lowering ours?

Mr. ROSS. Well, the existing trade agreements have very, very weak enforcement in general, and particularly weak enforcement on environmental and labor. Take Mexico for example. The minimum wage in Mexico has barely changed in pesos for quite a few years, and the peso has depreciated quite a lot against the dollar. So on a purchasing power basis, the average Mexican worker is far worse off than he or she was 5 or 10 years ago. That was not the original intent of NAFTA. One of the original intents was to bring up the standard of living there, bring up the labor conditions there, make them a little bit more stable and more prosperous economy, and, frankly, reduce the gap in productivity-adjusted wages between the two countries. It hasn't worked that way, and that has to be, or if I'm confirmed, will be, a very serious topic for consideration.

Senator BALDWIN. Thank you.

The CHAIRMAN. Thank you, Senator Baldwin.

Senator Moran.

STATEMENT OF HON. JERRY MORAN,
U.S. SENATOR FROM KANSAS

Senator MORAN. Mr. Ross, thank you very much for your interest in public service and your care for Americans and their jobs. Let me first just associate myself with what the Senator from Mississippi, Senator Wicker, indicated to you and the conversation that we had in my office. I would add to his voice that an infrastructure program needs to include broadband expansion, particularly in rural and unserved areas. And so Mr. Wicker raised that topic with you. I won't spend any more time on it.

I wanted to talk a bit about spectrum, wireless. First of all, Senator Udall and I have worked on legislation that was included in the Bipartisan Budget Act of 2015. It provided more funding and flexibility for Federal agencies to use the Spectrum Reallocation Fund for research and development related to their spectrum activities. It was our intention that this additional funding and flexibility would result in a more efficient use of spectrum by Federal users and free up more government spectrum for commercial use.

OMB oversees that fund, but it does so in consultation with the National Telecommunications and Information Administration that's part of the Department of Commerce. I would like to have you assure me that the SRF will be utilized to achieve those goals in your administration at the Department of Commerce.

And as a follow-on, I would indicate to you in following the Senator from Nebraska's commentary about the use of spectrum, there's a 2011 GAO Report that basically said that NTIA needed to improve its spectrum management policies to promote more efficient use of Federal spectrum. And the way I read that, I think it bluntly indicated that NTIA oversees—while it oversees the spectrum, it is often pushed around by bigger Federal agencies and departments, and therefore it's difficult to get them, those agencies and departments, who have little incentive to cooperate, to give up

their valuable spectrum, and I would ask you, what can be done at NTIA to get this to work better than it does today?

Mr. ROSS. Well, I don't intend to be pushed around by anyone.

Senator MORAN. I like the answer.

[Laughter.]

Senator MORAN. It also allows me to ask an additional question.

[Laughter.]

Senator MORAN. We've taken a special interest in the efficiency of IT procurement. And you indicated in your testimony that it's an area of your—that you have interest in. Senator Udall again and I introduced an Act we call "Move It." It later evolved into legislation that is designed to better accommodate agencies who seek to update their IT systems, but they're unable to do so in their current budget framework. I again would ask you to commit attention toward modernizing the Department of Commerce and its IT infrastructure, particularly its legacy IT. And do you believe that the Federal Government can better leverage commercial cloud-based solutions to save money and increase security?

Mr. ROSS. Well, I'm a very big proponent of cloud. We've used it a lot in private sector. And as far as we can tell, it is not only more efficient, it's probably also more secure for lots of very complicated, technical reasons. I think that it's a very important thing for government to do. And also to have systems that talk to each other. There's an awful lot of siloing both within Commerce and outside of Commerce, and I think that is not a very satisfactory end result. We need to all be on similar quality and efficiency of communication.

I think the tricky part of it is, where do you get the funding to make the changeover? Because there are some one-time costs to doing these. Commerce already has several initiatives underway, and I'm certainly encouraged by what I've learned about those, and I think much more could be done.

Senator MORAN. Mr. Ross, thank you. I would indicate that too many times the headline issues that we can deal with are left—they overcome the good government issues that so desperately need attention.

Let me finally say, as I indicated in my office, that trade is an important—exports are an important matter to Kansans, manufacturing of airplanes sold around the globe, agriculture commodities. I would highlight that for you, but I also would point out the view that China recently increased its anti-dumping duties and its anti-subsidy tariffs on U.S.-dried distillers grain. The decision came just days after the Chinese government decided to increase tariffs on U.S. ethanol from 5 percent to 30 percent.

Kansas farmers also continue to be held back by China's refusal to approve new varieties of biotech corn, which happened in 2014. I supported a WTO case that brought challenging China's domestic support of rice, corn, and wheat.

My point is that too often we negotiate trade agreements and they are designed to level the playing field in regard to tariffs, that in all the other issues that a country can bring to play, we high-five ourselves with the satisfaction of reaching a trade agreement, but then we miss the point of defending and fighting the other

things that prevent our products from getting into other countries, and it seems compatible with what you've been testifying.

Mr. ROSS. Oh, it is. I've been a victim over the years of some of these non-trade and untariffed trade barriers, and they're quite insidious, but also, unfortunately, they can be quite effective. We need to deal with those.

It's not enough to have a trade agreement that just hits tariffs, and it's one of the reasons I think there should be systematic reopeners of trade agreements after a few year period because it's hard to anticipate the ingenuity that some of these folks have to get around the intent of the agreement.

So I think an automatic reopener, whether it's a sunset provision or just a reopener, would be a very useful thing to look back on what was originally contemplated, look back on what was originally projected to occur, and to say, well, if we didn't achieve those objectives, why not, and what do we need to do to fix them? And I think an agreement like NAFTA, that is more than 40 years old and there has never been a systematic transparent review of it.

Senator MORAN. Mr. Ross, if you are confirmed, I intend to be gum on your shoe in regard to the exports of agricultural products and commodities from Kansas and manufactured airplanes and the other things we do in the global economy.

Mr. ROSS. I got that impression the other day, sir.

Senator MORAN. Thank you, sir.

The CHAIRMAN. Thank you, Senator Moran.

He's gum on our shoe a lot, too, so just to that point, we've been victims, my state has, our agricultural producers, particularly bee producers of this gaming, and we call it honey laundering, which is something that the Chinese have been particularly effective at, and we do need to enforce our laws and make sure that people are playing by the rules. So a very important issue to a lot of people on this Committee.

Senator Capito.

STATEMENT OF HON. SHELLEY MOORE CAPITO, U.S. SENATOR FROM WEST VIRGINIA

Senator CAPITO. Thank you.

Good afternoon now, Mr. Ross, and thank you as well for joining me in my office last week. I enjoyed our conversation. And I just wanted to kind of reiterate a few of the issues that you and I talked about, and no surprise here for you in terms of what's important to the state of West Virginia. We talked about the transitioning of our state from a coal economy hopefully to a more high tech, keeping our coal economy going but also trying to diversify.

And one of the administrations under the Department of Commerce is the EDA. Recently, the EDA has taken a renewed interest, thank goodness, at my and other people's urging, to really look at the severe job loss in our regions and to use those dollars to maximize the effect of entrepreneurship, capacity building, and other ways for us to diversify our economy, whether it's agriculture, high tech, energy sector jobs.

And so I would just like to reiterate to you, since the last 2 years we've made good strides here, that this is important. Even though

it's not a large agency in terms of appropriation, it does and can have a far-reaching effect in the distressed areas in our country where I'm living and where many of us are.

So I would just like to reiterate my commitment and hopefully your commitment to work together to see that the EDA continues the progress we've made over the last several years.

Mr. ROSS. Yes. I think EDA can be a very valuable source of seed money for projects——

Senator CAPITO. Right.

Mr. ROSS.—and kind of matching things, triggering other sources of economic help to get things jumpstarted. I think given its budgetary constraints, that's probably the most that it can do, but I think that can be a very valuable function if properly applied.

Senator CAPITO. It absolutely can, and in some of the rural areas where we have trouble attracting capital and attracting investment, it can be first in or last in, and have some complete projects at the same time.

So I don't want you to think that you're in an echo chamber, but I am going to talk a bit about rural broadband, which we discussed. I was really pleased to learn, and you told me that day, but you reiterated in your remarks, that you have some direct experience with broadband deployment in the state of Florida. A little bit different terrain than the state of West Virginia, that's for sure, but the rural areas are really behind here. And, again, if we're transitioning or if we're going to go to the next economy, if we don't have that stool of infrastructure development, we're going to be further behind.

Secretary Chao was here last week. I reiterated to her how important I think an infrastructure package has to include broadband deployment in the underserved and unserved areas. And since you have experience in this issue, I'm sure that you can see what it can do to the development of areas that have been undeveloped, and what it can do for health care, education, and other aspects of people's quality of life.

So, I look forward to working with you in this area and learning from you on the best ways to get to that broader and bigger elimination of the digital divide that exists.

Mr. ROSS. Thank you very much, Senator.

Senator CAPITO. Last, I mentioned to you that, and I was glad to see in your remarks you talked about NOAA and how important it is from the aspect of living in Florida. NOAA has a large and significant presence in West Virginia, and I think I can reasonably state it was probably an earmark from Senator Robert C. Byrd, so it's still there and doing well, and it's the primary backup for all of NOAA's emergency contingency operations. It's key to making sure, for instance, the GOES–16 satellite that was just launched, this facility serves as the consolidated backup facility for the mission.

We've still got capacity to grow here, so we're hoping that NOAA, because I have confidence in our abilities now, will work with us in West Virginia to grow that footprint and use us as the highly technical skilled folks that we have. And we're growing a technology corridor down through sort of the middle of the state to try

to work with that. So I want to work with you with NOAA, and hopefully we can visit those facilities together.

Mr. ROSS. Yes. From everything I've heard, NOAA is quite happy with the relationship they have with the local community there.

Senator CAPITO. Well, good. That's great. The FBI is right down the street, so maybe they have to be happy.

[Laughter.]

Senator CAPITO. Thank you very for—sorry, I think I might be the last one of the—oh, no. I forgot Chairman Inhofe right to my left here. So I appreciate it and I look forward to working with you at the Department of Commerce and look forward to voting in the affirmative for your nomination.

Mr. ROSS. Thank you, Senator.

Senator CAPITO. Thank you.

The CHAIRMAN. Thank you, Senator Capito.

Senator Inhofe is next, and then Senator——

STATEMENT OF HON. JIM INHOFE,
U.S. SENATOR FROM OKLAHOMA

Senator INHOFE. Yes. Thank you, Mr. Ross. And I enjoyed, first of all, the visit we had in my office. And I'll make mine a lot quicker than most of them. I do apologize. The reason for all of us being late is that, in my case, we have our Oklahoma Attorney General up, has been nominated to be the Director of the EPA, and I have more than just a casual interest in that. In fact, the last four of the Members here are late because they're over at that hearing. So this is not the way it should be, I suppose, but it's the best that we can do.

Let me just mention one thing. Back, way back, when NAFTA was passed, in our delegation of seven Members from Oklahoma, I was the only one who voted against it. And I would just like to be drawn into the loop as you make progress on the changes you may want to make just so that we'll be aware of that and can perhaps participate in a small way.

Mr. ROSS. Surely. I believe there is a consultative process provided in the TPA regulations and that, therefore, there will be at least that level of consultation.

Senator INHOFE. Good. I talked to you also about Taiwan being a close friend and ally of the United States, and our ninth largest trading partner. That's very significant, and we could further strengthen the U.S.-Taiwan relationship by engaging in direct bilateral trade agreements.

Now, these, in negotiations, would need to address Taiwan's current ban on importing pork containing ractopamine, a food additive that the Chairman of this Committee has talked about, he's concerned about some of the things that we want to do with Taiwan.

So I would say, as Secretary, would you just consider prioritizing the United States' trade relationship with Taiwan and consider laying the groundwork for direct bilateral negotiations?

Mr. ROSS. Well, as you know, that's a very complex issue——

Senator INHOFE. I know it is.

Mr. ROSS.—because of the One China/Two China policies. So I think that there we would need some guidance from the President as to what direction he wishes to go.

Senator INHOFE. And that's the very reason I worded it the way I did, just consider.

As I mentioned at my office, you were kind enough to give me quite a bit of time. I've had a very close relationship with Africa and have actually made 144 African country visits. I am concerned about Africa and our lack of a good relationship that we've had historically.

Now, when we did our NDAA, National Defense Authorization Act, I put an amendment on there that we titled the African Free Trade Initiative Act that was passed that is now a part of the bill that is going to take care of our NDAA needs for the next year.

Now, it's a step in the right direction to partner and secure deeper ties with a fast-growing economy such as that in Sub-Sahara Africa. There are nations eared to engage in direct bilateral negotiations on trade with the United States, and I just would hope that you would work with me to focus U.S. trade efforts in Africa.

Mr. ROSS. It's almost impossible to imagine ignoring such a large continent with such rapid growth to it with such strategic importance and potentially such economic importance. So clearly there's a role for us to play with Africa, and I think one of the concerns that we should all share is that China has been all over the map in Africa building high schools, building soccer playing fields, doing all kinds of things, and gobbling up natural resources as well. Nature abhors a vacuum, and to the degree that we've let a vacuum be created there, there's a countervailing force that's going to fill it, and that's not us.

Senator INHOFE. That is a beautiful response. I appreciate that very much. I might add China doesn't even use their labor when they're in these projects.

So anyway, I look forward to supporting your confirmation, and thank you very much for being willing to do it.

Mr. ROSS. Thank you, Senator.

The CHAIRMAN. Thank you, Senator Inhofe.

And I think last up on the first round is Senator Markey. Senators Inhofe and Capito both left time on the clock. I think that's the first time that's happened today, so we must be winding down.

Senator Markey.

STATEMENT OF HON. EDWARD MARKEY,
U.S. SENATOR FROM MASSACHUSETTS

Senator MARKEY. Thank you, Mr. Chairman, very much.

Mr. Ross, we're in the world of the Internet of Things, as the Internet is built into the appliances which we use, the machines which we use, the automobiles, the SUVs, everything now is part of the world of the Internet of Things. But IoT isn't just going to stand for Internet of Things, it's also going to stand for the Internet of Threats to the security, to the privacy, of all Americans, as this technology is built into every device.

So as we move forward, we have to think at the same time about cybersecurity, about privacy, about what are the protections which we're going to give to Americans so that their privacy and security is not constantly subject to compromise. Could you tell the Committee what your views are on that issue and what you would recommend that we do in order to protect Americans?

Mr. ROSS. Well, we've had some direct—I've had some direct experience with it. As you know, we've invested in a number of small and medium-sized banks around the country, and even they are subject to cyber attacks from all over the place. Some are just from hackers who simply seem to want to prove that they can do it, but others are evil ones trying to steal people's identities, trying to steal people's money, all kinds of things.

So it certainly is a serious problem and it's the unfortunate flipside of interconnectedness, is, how do you balance interconnectedness and two-way communication and two-way or multiple-way everything with protecting people?

I think we need to be extremely vigilant and keep developing new and better systems because the people who have bad intent are certainly trying to develop new and better ways to break in. So it's a continuing challenge.

Senator MARKEY. I've introduced legislation, which is essentially a cyber labeling program, that would just say to industries of the United States you have to label your devices in terms of how secure they are from being hacked, from having privacy compromised. What do you think about that idea? And don't you think on a voluntary basis that is something that we could ask for American industry now to adopt as a practice?

Mr. ROSS. Well, I'm quite sure that American industry is becoming more and more sensitized to the problem. There is no company I know of, of any size whatsoever, that hasn't been having these threats, ranging from electric utilities to every other kind of endeavor.

So I think everybody appreciates the problem. Exactly what's the solution and whether one size fits all I think is a more complicated issue and one that needs a lot of very thorough investigation, but——

Senator MARKEY. And I appreciate that. The one problem, of course, is that there are many companies that are never going to invest in cybersecurity protections, and that is where the problem is going to be created, where the vulnerability is going to be created. So I'm looking forward to working with you on that.

Senator Fischer and I have introduced the Federal Spectrum Incentive Act, which offered new incentives for Federal agencies to relinquish underutilized spectrum. I know that Senator Cruz just asked about whether we should incentivize Federal agencies to vacate or share spectrum they don't need. Will you commit to working with Senator Fischer and me so that we can try to find a way of moving forward legislation that does create those incentives for the Federal agencies to free up the spectrum that the private sector could use?

Mr. ROSS. Right. Well, I think it probably would need to be a legislative solution because it's fairly clear to me that Commerce does not have the power to do it on its own. So to the degree that there is going to be an incentive given, I think it would absolutely have to be legislated.

Senator MARKEY. And New Bedford, Massachusetts, is the highest grossing fishing port in the United States. What actions would you support to ensure that seafood brought to the market is legally caught and sustainable?

Mr. ROSS. Well, I think that's very, very important. For one thing, in terms of the domestic catch, clearly the objective should be the maximum sustainable yield, so that, as a starting principle. But also a lot of the imports that come in are produced under conditions that would not be tolerable in the United States, and I think that needs to be dealt with. It needs to be dealt with also at the port level.

My understanding is that if a shipment of food comes in that for whatever reason is rejected at a given port, all that happens is then that vessel diverts to another port and hopes to get the same food in. Well, since only 2 percent of the cargos are ever inspected, that means they've got a 98 percent chance to get away with it the second time, and meanwhile the food is a couple of days older and perhaps a couple of days worse condition. So I think we need to deal with it at a whole series of levels.

Senator MARKEY. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Markey.

And, again, I would echo what's been said about finding more spectrum. We're going to absolutely have to have it. We have 16 billion wireless devices today and headed toward 50 billion by 2020, so it's absolutely essential.

Senator Blumenthal I think wanted to ask some additional questions.

Senator BLUMENTHAL. I have just a few questions. As you know, one aspect of the very broad and varied responsibilities that you would have, if confirmed, pertain to fighting boycotts of American companies that, in effect, refuse to do business with countries. Israel is one where action has been taken.

Your Department has within its authority the Bureau of Industry and Security, which is tasked with prohibiting businesses with a U.S. presence from boycotting those countries like Israel based on foreign laws or at the request of a foreign government.

In 2015, I wrote to the Commerce Department, and I was joined by a number of my colleagues, including several on the Committee: Senators Booker, Schatz, and Markey. We wrote in response to a number of claims and incidents in which travelers with Israeli passports were denied. And we wrote to the United States Department of Transportation, which agreed that the incidents warranted further inquiry.

The Department of Commerce, in effect, deflected our inquiry, providing little information or concern. That raises for me a very important overall issue, standing up to efforts to boycott Israel or any other country in these kinds of business dealings.

I'm asking you to commit to make this issue a priority and agree to enforce the anti-boycott laws to the fullest extent of your authority. We're talking about existing laws that need enforcement.

Mr. ROSS. I believe, Senator, that the President-elect has made clear his pro-Israel attitude, and I certainly will do my part to uphold the laws.

Senator BLUMENTHAL. Thank you. I would like to ask you also about cybersecurity, following up on the very helpful comments you just made. As you well know, this Nation is under cyber attack literally every day from the Russians, Chinese, North Koreans. There have been repeated instances of it. In this very room, where the

Armed Services Committee meets and holds hearings—I'm a Member of that Committee—we've heard chilling and staggering accounts about the extent and magnitude of cyber warfare.

Would you agree that this Nation has to develop better policies to deter and punish the Russians and other countries that currently are attacking us literally every day and interfering with our economic system, threatening our economic network, our electronic grid, our transportation system, as well as our military defense?

Mr. ROSS. I absolutely do, Senator Blumenthal. I think to me the most terrifying form of warfare would be if there was some simultaneous cyber attack on our grid, on the banking system, and on our transportation system. That would be quite a devastating thing, and yet, in theory, absent some real protective measures, that could happen.

Senator BLUMENTHAL. And we should send the Russians or any other country that would threaten us in that way an unmistakable message that such an attack will be met by a aggressive effective response.

Mr. ROSS. I think we don't have very much choice because the danger is both large and imminent.

Senator BLUMENTHAL. And imminent is also extraordinarily frightening because so much of our Nation depends on the interconnection between different sectors of our economy, and our private sector needs to be given impetus to do better.

Mr. ROSS. Yes. And it was either in my discussion with you or perhaps with Senator Markey that we talked about the situation where a fellow had a generator in his house in case the power went off, but the generator was interconnected or was on natural gas, which presumably would also get cut off. So partial prophylactics are not a very good solution in this area. We need things that are quite all-embracing and quite thorough.

Senator BLUMENTHAL. Would you agree with me that deterrents against this kind of attack should include measures not only in the cyber domain but also economic sanctions if necessary, and foreign exchange sanctions?

Mr. ROSS. Well, I think what we need is an overall coordinated policy to deal with these cyber problems. But it gets into a lot of departments that go well beyond Commerce, as you're aware.

Senator BLUMENTHAL. I fully agree, but Commerce can play and should play an important role.

Mr. ROSS. I promise you we're on it.

Senator BLUMENTHAL. One last question. I will be introducing a measure that would prohibit look-alike toy guns, which can cause tragedies. You may be familiar with the tragedies that have occurred around the country where police in tense situations encounter sometimes young people with look-alike toy guns that they mistake for real weapons, and the result is the police respond by using their weapons and people may be injured or killed.

The measure that I am going to introduce will strengthen the protections against those kinds of look-alike or toy guns. I am asking for your support because the Secretary of Commerce, along with the Consumer Product Safety Commission, the CPSC, would have responsibility for developing regulations under this law.

I'm asking for your support to ensure that toy look-alike or imitation firearms are not allowed to enter Commerce unless they are made abundantly clear to be toy guns. Will you commit to supporting such legislation?

Mr. ROSS. I look forward to reading the legislation and discussing it with you, Senator.

Senator BLUMENTHAL. Do you agree, in principle, that this kind of protection is necessary?

Mr. ROSS. Well, I think anything that prevents people from being killed or injured unnecessarily is a good idea, but we would have to look at—I would have to look at the actual draft legislation.

Senator BLUMENTHAL. In the course of your investments or other endeavors, have you ever done any work on smart guns?

Mr. ROSS. Smart guns? No, sir. What is that?

Senator BLUMENTHAL. Well, guns that may be limited to firing or use if they have the biometric kinds of——

Mr. ROSS. Oh. Yes, I've heard of it. I've never seen them in action, and so I don't really have a very well-formed opinion of them.

Senator BLUMENTHAL. Well, I look forward to talking to you about this topic. I'm out of time. And you've been very patient because you do have jurisdiction over the National Institute of Standards and Technology, which could play a part in developing standards and technology for smart guns.

Mr. ROSS. Sure. Well, developing standards for any innovative process is obviously a very critical function and one that the Department takes quite seriously.

Senator BLUMENTHAL. I hope you will take this one seriously. I know you will.

Mr. ROSS. I will, Senator.

Senator BLUMENTHAL. Thank you.

The CHAIRMAN. Thank you, Senator Blumenthal.

Senator Sullivan.

Senator SULLIVAN. Thank you, Mr. Ross. And I know you heard that a number of us are moving between committees for other confirmation hearings. So if I ask a question that you already answered, please bear with me.

But I very much appreciated your focus in earlier rounds of questions on economic growth where you're talking about energy. As you know, in Alaska, we have a lot of it, and we need to produce more of it. And we're very much looking forward to having an Executive Branch that wants to help us, not stop us from producing energy, like we have with the Obama administration, rolling back some of the unnecessary regulations, infrastructure, and then trade.

And I think on the issue of trade, I know you've answered a couple questions on it, but as you and I discussed, I believe the Trump administration is going to be the first administration in U.S. history to come into office with trade promotion authority, and a number of us supported that in part because President Obama had 2 years of it, but we were hoping the next President would be a Republican and would have 4 years of it. That's happened. The Administration doesn't have to spend one ounce of political capital on getting TPA, and that's usually hard to get over the goal line.

So, can you just talk a little bit about your views on bilateral trade priorities? But also there have been reports in the press about some kind of 35 percent tariff. That would seem to me to be about as anti-growth as possible. I know you mentioned in some of your answers Smoot-Hawley. But how are you going to look at the trade element and really take advantage of what's an enormous opportunity, which is TPA, that you can use that's a very, very powerful tool to help American exports?

Mr. ROSS. Well, TPA is an important tool because what it gives is relative assurance to the party with whom you are negotiating that you can deliver because any negotiation is handicapped if you're not sure the other guy can deliver on what has been negotiated. So it's a big help in that regard.

And there are, as you know, some consultative steps that are required vis-à-vis between the President and the Congress on TPA. And I'm quite sure that if he uses it, the President-elect will adhere to those requirements. So those are good and useful components of the trade process.

And in terms of the 35 percent and some of the other statements, I think the President has done a wonderful job preconditioning the other countries with whom we'll be negotiating that change is coming. The peso didn't go down 35 percent on accident. Even the Canadian dollar has gotten somewhat weaker, also not an accident.

So I think he has done some of the work already that we need to do in order to get better trade deals because when you start out with the adverse party understanding that he or she is going to have to make concessions, that's a pretty good background for any negotiation to begin. So I'm very grateful that he has made this task a little bit easier by alerting everybody that change is coming.

Senator SULLIVAN. Well, would 35 percent tariffs be pro-growth or not?

Mr. ROSS. Oh, I think that the pro-growth thing is stimulating exports much more than just curtailing imports, but tariffs can be—countervailing duties and punishment to people for dumping is essential because there are inappropriate and illegal trade practices being performed, and if you don't really punish them, you're never going to modify their behavior. So there is certainly a role for it there.

Senator SULLIVAN. Let me ask just a related question when you're talking about trade tools, and that's—I know there's been a lot of focus on China. That's in the area of reciprocity. But right now, as you know, there are stories, and it's happening, China has two very large investment funds where they're buying up strategic companies in Western Europe, trying to in the United States. Some are strategic, some are just important, you know, they're looking certainly at the movie industry in Hollywood and ship manufacturers.

And yet I think it's pretty common knowledge that if our companies wanted to go to China and buy up a big movie industry or buy up a big ship manufacturer or buy up a tool and die industry that's very—or a company that's very strategic, the answer would certainly be no.

Mr. ROSS. Right.

Senator SULLIVAN. So in the WTO, their accession, as far as I know, did not have a reciprocity requirement with regard to investment. However, do you think it would be in the interest of the United States—and it's a debatable topic here, a number of us are looking at legislation to maybe include investment reciprocity as part of the CFIUS process—do you think that would be wise or do you think that would undermine the vitality of the United States by restricting investment even though there is clearly no reciprocity going on right now between the number one and number two economies in the world? And in my view, it's an unlevel playing field. China can do it, they're doing it. If want to go over and do it, we couldn't. How do we deal with that?

Mr. ROSS. Well, I think reciprocity in an important concept in trade agreements, and I think there are other important concepts as well. To me, another one is simultaneity of concessions. We have tended in prior trade agreements to make our concessions up front, and the other party makes their concessions later, but the problem is that later sometimes doesn't come, because when you have weak enforcement provisions and you've already made your concessions, it's a little bit hard to unscramble the egg.

So I think reciprocity is an important concept going forward. I think simultaneity is an important concept going forward. I think, as I mentioned I think while you were out of the hearing room, the concept of an automatic reexamination after a period of time to find out, well, what worked? what didn't work? and what should we fix?

I think there are a number of these conceptual issues that have not been present in prior trade agreements. But I would hope that if confirmed, I can contribute toward designing kind of a model trade agreement where we would introduce into it certain principles that would have to be in any agreement. I think it's a huge mistake to start out each time with kind of a blank page from ground zero. It makes it take longer, it makes it harder to negotiate.

The best negotiating tool is to be able to tell someone, "I can't change this. This is official policy. You know it is. We've got it in 10 other deals. We're not going to give you anything different." That's a much better position, in my opinion, than starting out with a blank slate.

Senator SULLIVAN. Thank you.

Mr. Chairman, may I have the opportunity to answer—or ask one more question?

[No audible response.]

Senator SULLIVAN. Thank you.

Mr. Ross, I wanted to talk just a little bit on the infrastructure element. I think you're going to see a number of Senate colleagues on both sides of the aisle be supportive of doing more with regard to infrastructure. And as we talked about, one element that I think a number of us see as critical when we move forward on a big, large-scale infrastructure initiative is fixing the Federal Government's broken permitting system.

Mr. ROSS. Yes.

Senator SULLIVAN. So whether that's—on average right now it takes 6 years to permit a bridge in the United States of America. We had a hearing here on airport infrastructure last year. It took

the Seattle Airport to build a new runway 15 years to get the Federal permits. In Alaska, it took Shell 7 years to get the Federal Government's permission to drill one exploration well in 100 feet of water. It's a broken system. And if we have an infrastructure package that's in the hundreds of billions without a dramatic overhaul of our permitting system, I fear it's going to be money that can't be deployed.

Would you agree to work with us on not only focused on the financing of infrastructure, but the very, very important issue of fixing a broken Federal permitting system where this country used to build big things on time, and now we can't permit a bridge inside of a half a decade?

Mr. ROSS. Well, I know the permitting is an issue. I think it's one of the reasons why there weren't so many shovel-ready projects when President Obama got money for infrastructure. And the permitting isn't just on big projects. In some parts of this country, if you want to put a porta-potty on a well site, you have to go get a permit, and it takes weeks to do that. That's not even drilling a hole in the ground, it's not invasive, it's not anything. I think we've gone a little permit nutsy.

Senator SULLIVAN. Well, I look forward to working with you on that, and I look forward to your speedy confirmation.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Sullivan. All good lines of questioning. I know I have found the answers and responses today on some of the trade issues to be somewhat reassuring. I think there are a lot of folks who are spooked when they hear rhetoric surrounding 35 percent tariffs and that sort of thing, and I think you've given good insights into how that might be interpreted today.

Senator Nelson I think has a couple of cleanup questions, and we'll probably get you out of here shortly.

Senator NELSON. Well, you have certainly seen by the questions today and the breadth of the subjects covered by the Commerce Committee the intense interest, and you have comported yourself quite well. You have been very detailed and non-evasive in your answers, and that is appreciated. And albeit the length of this hearing, let me assure you that this hearing is a piece of cake compared to some of the other nominees that are going through the process of the constitutionally required advise and consent.

Your wife, Hilary, has been most patient back there and has not looked around the room. She has been very attentive, so my compliments to her as well.

Just for a couple of cleanup things here. I want to insert in the record, Mr. Chairman, a letter by 10 scientists, many of whom are professors at Florida universities, having to do with a concern of our state being so fragile when it comes to sea level rise. And I would quote just one paragraph in this letter addressed to you. "Like you, climate scientists are facing a distressing situation as we study the projected impacts of sea level rise. However, we remain optimistic that our challenges can be solved with American ingenuity, entrepreneurship, strategy and new technologies."

The CHAIRMAN. Without objection, we'll have it included in the record.

[The information referred to follows:]

January 17, 2017

WILBUR ROSS,
Invesco Global Headquarters,
Atlanta, GA.

Dear Mr. Wilbur Ross,

Congratulations on your nomination. You have a distinguished career and now you are presented with the opportunity to become the next Secretary of Commerce—a position with enormous influence on American society.

We are a group of Florida scientists, many of whom work daily with data from the National Oceanic and Atmospheric Administration (NOAA); one of the agencies you will be in charge of at the Commerce Department.

Like you, we share an affinity for Florida. As a Florida resident, you know how precious the coastline is, and the fragile beauty of our state.

You are known for your problem solving skills, and your ability to salvage distressed businesses. We were struck by a statement you made in your CNBC interview where you said, "the solutions are always more fun than identifying problems. We're basically optimists even though we're dealing with situations that have a lot of pessimism."

Like you, climate scientists are facing a distressing situation as we study the projected impacts of sea level rise. However, we remain optimistic that our challenges can be solved with American ingenuity, entrepreneurship, strategy and new technologies.

We encourage you to use your exceptional problem solving skills to look closely at the intersection between our changing climate, our economy, agriculture, industry, jobs and human health.

The Commerce Department defines part of its mission as "work[ing] with businesses, universities, communities, and the Nation's workers to promote job creation, economic growth, sustainable development, and improved standards of living for Americans."

In your new role as the Secretary of Commerce, you have a unique ability to influence multiple sectors of our economy. You will direct scientific research both within government, and at universities through NOAA. You can also work with businesses, engineers, and industries to develop solutions to address climate and energy challenges.

We call on you to:

Protect our coastline.

Florida has over 1,100 miles of coastline, a portion of which you are intimately familiar with, and surely appreciate. Current forecasts predict up to six feet of sea level rise in the next century. Under a worst-case scenario we could see two feet of sea level rise by 2060. And while that may seem like a distant threat, right now with king tides there can be "sunny day flooding" in coastal states.

In order to protect our coastlines, it is crucial to continue the monitoring and projection of future environmental changes in the atmosphere and the ocean. None of this research can happen without adequate funding. We must prioritizing research funding in the direction of climate change studies, especially in the context of sea level rise. Vital observations and research into phenomena affecting climate change impacts, such as variations in the ocean circulation that can, and already are, increasing sea level rise along our coastline must be maintained.

Support robust science.

The same way that you evaluate companies before you purchase them, scientists are learning about our climate, our weather, our oceans, and our coast, so that policymakers can make informed decisions. We echo The Union of Concerned Scientists' call for a strong and open culture of science and believe in adhering to high standards of scientific integrity and independence. You know from experience the role of in-depth research in executing a successful strategy, and so you should appreciate the value that scientists bring to the table to understand the impacts that change in our natural world will have on human systems—our ports, our coastal properties, and our weather patterns.

Embrace clean technology.

As the Secretary of Commerce you can help put America at the forefront of scientific research, and position us as leaders in the international competition for clean technology development.

We know many of your investments have been in traditional industries like coal and steel, but we encourage you to learn as much as you can about new energy technologies. Embrace clean energy solutions not only to address our energy needs but to create good paying jobs in our communities.

The Department of Commerce encompasses much more than just NOAA, but we want to make a heart-felt plea to you to understand how incredibly important NOAA's contribution to society is. NOAA states on its website that it "enriches life through science." NOAA's mission is "Science, Service and Stewardship."

You have an incredible opportunity to be a steward who will help restructure America's energy problems, and turn our climate crisis into another American success story.

We want to emphasize the magnitude of the problem—the future of Florida hangs in the balance. The stakes could not be higher.

You are in a critical position to support sound science and solutions that can help America solve this problem. We implore you to recognize the urgency of climate change, and take your new position with great humility and the same dedication and tenacity you have shown throughout your career.

Thank you, and good luck on your nomination hearing.

Sincerely,

Senthold Asseng, Professor
Department of Agricultural and Biological Engineering
University of Florida

Keren Bolter, Research Affiliate
Center for Environmental Studies
Florida Atlantic University

Jeff Chanton, Professor
The John Widmer Winchester Professor of Oceanography
Department of Earth, Ocean and Atmospheric Science
Florida State University

David B. Enfield (ret. 2015)
Dept. of Physical Oceanography
NOAA Atlantic Oceanographic & Meteorological Laboratory

Pamela Hallock Muller, Ph.D., Professor
College of Marine Science
University of South Florida

David Hastings, Professor
Marine Science and Chemistry
Eckerd College

Barry Heimlich, Vice Chair
Climate Change Task Force
Broward County

Ben Kirtman, Professor
Department of Atmospheric Science
Rosenstiel School for Marine and Atmospheric Sciences
University of Miami

John H. Parker, Professor Emeritus of Chemistry and Environmental Science
Department of Earth and Environment
Florida International University

Randall W. Parkinson, Ph.D., P.G., Research Faculty Affiliate
Institute for Water and Environment
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Brad E. Rosenheim, Ph.D., Associate Professor
College of Marine Science
University of South Florida

Philip Stoddard, Professor
Department of Biological Sciences
Florida International University
Mayor of South Miami

Harold R. Wanless, Professor and Chair
Department of Geological Sciences, College of Arts and Sciences
University of Miami

Disclaimer: The views and opinions expressed in this letter *are strictly those of the individuals* and do not necessarily reflect the official policy or position of their respective organization.

Senator NELSON. That sounds like quite a reasonable approach. And here I would also like to insert a document just released this morning at 10:30 from NOAA's National Centers for Environmental Information, marking some of the measurements with regard to consecutive years of record warmth on the globe. And I think that's instructive for us to have from NOAA itself.

The CHAIRMAN. Without objection.

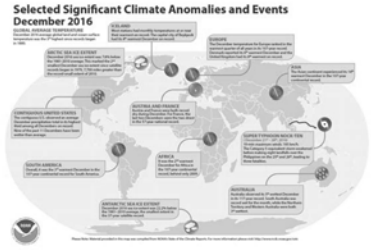
[The information referred to follows:]

Global Summary Information - December 2016

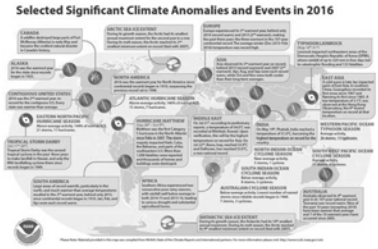
See Full Report

2016 is Earth's warmest year, culminating in a remarkable 3-year streak of record warm years for the globe

The globally averaged temperature over land and ocean surfaces for 2016 was the highest among all years since record keeping began in 1880. During the final month, the December combined global land and ocean average surface temperature was the third highest for December in the 137-year record.



Selected Climate Events & Anomalies for December 2016



Selected Climate Events & Anomalies for Calendar Year 2016

Global highlights: Calendar Year 2016

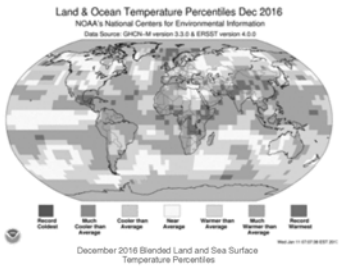
For extended analysis of global climate patterns, please see our full Annual report

- During 2016, the average temperature across global land and ocean surfaces was 1.69°F (0.94°C) above the 20th century average. This was the highest among all 137 years in the 1880–2016 record, surpassing the previous record set last year by 0.07°F (0.04°C). The first eight months of the year had record high temperatures for their respective months. Since the start of the 21st century, the annual global temperature record has been broken five times (2005, 2010, 2014, 2015, and 2016). The record warmth in 2016 was broadly spread around the world.

- During 2016, the globally-averaged land surface temperature was 2.57°F (1.43°C) above the 20th century average. This was the highest among all years in the 1880–2016 record, surpassing the previous record of 2015 by 0.18°F (0.10°C).
  - Record high temperatures over land surfaces were measured across Far East Russia, Alaska, far western Canada, a swath of the eastern United States, much of Central America and northern South America, southern Chile, much of eastern and western Africa, north central Siberia, parts of south Asia, much of southeast Asia island nations and Papua New Guinea, and parts of Australia, especially along the northern and eastern coasts. No land areas were cooler than average for the year.
- During 2016, the globally-averaged sea surface temperature was 1.35°F (0.75°C) above the 20th century average. This was the highest among all years in the 1880–2016 record, surpassing the previous record of last year by 0.02°F (0.01°C).
  - Record high sea surface temperatures were observed across the northern Pacific waters near Alaska, the Bering Sea, parts of the southern and western Pacific, a long swath of the western Atlantic stretching to the Gulf of Mexico, parts of the southern and eastern Indian Ocean extending across the waters of southeastern Asia island nations and Oceania. The only ocean area with record cold temperatures was east of the Drake Passage near the Antarctic Peninsula, an area that has been much cooler than average since late 2013.
- According to data from NOAA analyzed by the Rutgers Global Snow Lab, the average annual Northern Hemisphere snow cover extent during 2016 was 9.5 million square miles. This was about 100,000 square miles less than the 1981–2010 average, and tied 2005 for 12thsmallest of the 47 complete years on record since 1968.
- Recent trends in the decline of Arctic polar sea ice extent continued in 2016. When averaging daily data from the National Snow and Ice Data Center, and noting that there was an unanticipated sensor transition during the year, the estimated average annual sea ice extent in the Arctic was approximately 3.92 million square miles, the smallest annual average in the record.
- The annual Antarctic sea ice extent was the second smallest on record, behind 1986, at 4.31 million square miles. Both the November and December 2016 extents were record small.

Global highlights: December 2016

- During December, the average temperature across global land and ocean surfaces was 1.42°F (0.79°C) above the 20th century average. This was the third highest for December in the 1880–2016 record. Only the Decembers of 2014 and 2015 were warmer.
- During December, the globally-averaged land surface temperature was 2.30°F (1.28°C) above the 20th century average. This was the sixth highest for December in the 1880–2016 record.
- During December, the globally-averaged sea surface temperature was 1.10°F (0.61°C) above the 20th century average. This was also the highest for December in the 1880–2016 record. Only the Decembers of 2009, 2014, and 2015 were warmer.



December 2016 Blended Land and Sea Surface Temperature Percentiles

- The average Arctic sea ice extent for December was 4.67 million square miles, according to analysis by the National Snow and Ice Data Center based on data from NOAA and NASA. This value is 400,000 square miles (7.9 percent) below the 1981–2010 average, and the second smallest December extent since records began in 1979.
- Antarctic sea ice during December was 3.41 million square miles, according to analysis by the National Snow and Ice Data Center based on data from NOAA and NASA. This value is 970,000 square miles (22.2 percent) below the 1981–2010 average, and the smallest December extent on record.
- According to data from NOAA analyzed by the Rutgers Global Snow Lab, the Northern Hemisphere snow cover extent during December was 17.5 million square miles, which is 550,000 square miles above the 1981–2010 average. This was the eighth largest December Northern Hemisphere snow cover extent in the 50-year period of record.

For extended analysis of global temperature and precipitation patterns, please see our full December report

Senator NELSON. Senator Blumenthal asked what I was going to ask about our support for Israel and your attitude about that, and I think you've covered that.

And I would, finally, appeal to you, as a Floridian who lives on the coast, that there is not only a tourist industry, which is an $85 billion a year industry, in Florida, almost a million jobs connected with tourism, much of which depends on the very attractive and pristine beaches that we have. And we learned a valuable lesson in the *Deepwater Horizon* oil spill when that oil fortunately did not get to all of our beaches, but, instead, got to Pensacola Beach, which was covered in oil, some oil on Destin Beaches, as well as tar balls as far east as Panama City. But what it did, is it shut down the tourist season for one entire year on the Gulf Coast.

And had that spill been at a time when the loop current that comes off of the western end of Cuba and loops up into the Gulf of Mexico, then turns south, goes around the Florida Keys and becomes the Gulf Stream that hugs the coast not only at Miami, but at your residence in West Palm Beach all the way up to Fort Pierce before it takes off further out into the Atlantic from the coast—had that spill or any future spill gotten into the loop current, we would have had that effect on the east coast of Florida and the resulting debacle with regard to our tourism industry.

Now, there is one other reason why this is so important to us, and you and I have not had a chance to talk about this. The largest training and testing area for the United States military in the world is the Gulf Coast off of Florida.

Mr. ROSS. Right.

Senator NELSON. It is the Gulf Testing and Training Range, and, thus, the extensive activities at not only Eglin Air Force Base, but also Tyndall Air Force Base at Panama City. I have two letters from two Republican Secretaries of Defense saying we simply cannot have oil drilling activities, that it is incompatible with the testing and training of some of our most sophisticated weapons. When you combine that with the fact that the geology shows that there is very little oil off of Florida, the oil is off of Louisiana, where all of the sediments came down the Mississippi——

Senator SULLIVAN. And Alaska.

Senator NELSON. I'm talking about the Gulf of Mexico right now. I won't get into the Bering Sea and the North Slope and all of that. I'm tending to Florida. You tend to Alaska.

[Laughter.]

Senator NELSON. That the effects would be devastating so much so that my colleague, a Republican former Senator, Senator Mel Martínez, joined with me for all of the reasons that I've stated, and we put in law, off limits until the year 2022 drilling in the Gulf of Mexico off of Florida; that's in law.

And so I ask you to consider this because there are going to be others in the Cabinet in which you serve and their idea will be "Drill, baby, drill." This Senator is not objecting to drilling if it's in the right places. But for all the reasons that I've stated, I felt it incumbent for me to bring it up to you since you are going to be, obviously, by virtue of your testimony today, you're going to be a very, very influential voice in the Cabinet, and I hope in the White House.

So with that, Mr. Chairman, thank you for the extent to which your, mine, and Mr. Ross's posteriors have endured almost 4 hours.

The CHAIRMAN. Thank you, Senator Nelson.

And, yes, this has been a lengthy hearing, but I think a very, as you pointed out, productive one in terms of the responses it has generated and the substance of the discussion. There has been, I think, a wide range of questions posed from Members of this Committee, who represent very different areas of the country. But the range of the issues this Committee has jurisdiction over is such that it requires a good amount of knowledge on behalf of our nominee, and we certainly appreciate the way in which he's stepped up to that challenge and responded to our questions today.

I have one last question and then we'll let you get out of here, and I think it's the only subject that hasn't been covered today, or at least it hasn't been covered much, and that is, Mr. Ross, in 2012, FirstNet was established as an independent authority to implement a nationwide broadband network dedicated to first responders. And as FirstNet makes progress, and it has made some progress in acquisition activities, consultation, and internal controls, it still faces a good number of challenges.

So I want to emphasize that FirstNet is an independent authority, but I want to ask also whether you will commit to being engaged on the progress of FirstNet and to inform this Committee if you observe any waste, fraud, or abuse within that program should you be confirmed.

Mr. ROSS. I certainly support the concept of FirstNet. I gather there is some controversy in some states about it. And I gather there have been some technical issues. I'm obviously not yet conversant with them. But the idea of giving the first responders all the tools that you can imagine that could be useful has to be the right direction to go. So I'm certainly supportive of that. And to the degree there are issues with it, I'll do my best, if confirmed, to try to figure out how to overcome them.

The CHAIRMAN. Well, and we look forward to having you bring your expertise in solving problems and managing difficult circumstances to bear on this issue as well.

I believe that's it. Given our hope to confirm Mr. Ross as soon as possible, we'll keep the hearing record open until 12:30 p.m. tomorrow. During this time, Senators are asked to submit any additional questions for the record, and upon receipt, we would ask our nominee to submit written answers to the Committee as soon as possible so that we can get about the process of scheduling you and reporting you out of here and getting you to the floor for a vote.

So with that, I thank Members of the Committee.

Thank you, Mr. Ross, for your willingness to serve our country, and for those who came with you today, and your wife, Hilary, for your patience. It's a long hearing, but it's an important one.

So with that, this hearing will be adjourned.

Mr. ROSS. Thank you, Senators.

[Whereupon, at 1:55 p.m., the hearing was adjourned.]

A P P E N D I X

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO WILBUR L. ROSS, JR.

Question 1. The United States faces growing cybersecurity threats. As recent news reports show, malicious hackers harm our economy and national security through unauthorized access to private sector intellectual property, sensitive data, and critical infrastructure. Cyberespionage costs companies billions of dollars every year. While Congress and the Department of Commerce's National Institute of Standards and Technology (NIST) collaborated on the successful Cybersecurity Framework for Critical Infrastructure, the battle is far from over. Under your leadership, what will be the Department's approach to working with industry in order to combat ongoing cyber threats?

Answer. Cybersecurity is a huge and immediate problem. Strengthening our cybersecurity is critical to U.S. trade and national security. If confirmed, I will work proactively through NIST and with our interagency and industry partners to address the cybersecurity and privacy challenges that our Nation currently faces and will regularly review the Department's efforts to ensure that markets remain open to U.S. innovators.

Question 2. The Committee has struggled for some time with receiving timely responses to letters, questions following hearings, and other requests for information from NOAA. There have also been instances when the Congressional Budget Office (CBO) has had a hard time getting responses from NOAA, which has slowed down CBO's ability to issue scores on bills the Committee is trying to advance. Such delays make effective Congressional oversight and passing legislation difficult, and are unacceptable. Do you commit to ensuring NOAA provides me and my staff with timely and complete responses to inquiries?

Answer. If confirmed, I will do my best to ensure that all components of Commerce including NOAA will be responsive.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. ROGER F. WICKER TO WILBUR L. ROSS, JR.

Question 1. The Department of Commerce has a critical role to play in protecting U.S. industries from the unfair practices of our trading partners. This has been particularly true over the last 30 years with respect to our domestic softwood lumber industry, which the outgoing administration recognized as a "vital" part of the U.S. economy just last June.

Forest products are certainly a vital part of Mississippi's economy, generating more than $1.1 billion in 2015. I support trade practices that will allow the softwood lumber industry to continue to thrive in my state and across the country. Over 350,000 Americans work in the softwood lumber industry, and approximately 11 million private U.S. landholders depend on the strength of that industry in managing their own family-owned timberlands.

With the 2015 expiration of the softwood lumber agreement, the Department of Commerce is once again at the forefront of protecting U.S. jobs through its enforcement of the United States' trade remedy laws.

Are you committed to the strong enforcement of our Nation's antidumping and countervailing duty laws, and will the use and enhancement of trade remedies be a priority for the Department?

Answer. I will work with all the stakeholders, including those at Commerce and the other Federal agencies, industry and the Congress, to ensure U.S. companies can compete in international markets while protecting our national security and foreign policy interests. I favor quotas to offset stumpage subsidies.

Question 2. Recently, the President-Elect announced a Manufacturing Council to be coordinated by the Commerce Department and the President's Strategic Policy

Forum. Each of these initiatives provide business leaders a forum to offer their expertise and advice to the Administration on how to grow the economy and create jobs. As you may know, multinational companies employ 20 percent of our Nation's manufacturing force and pay salaries 30 percent greater than the economy-wide average.

Will you commit to ensuring that these companies have a seat at the table for both the Manufacturing Council and the President's Strategic Forum?

Answer. If confirmed, I will do my best.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. DEB FISCHER TO WILBUR L. ROSS, JR.

Question. Mr. Ross, if confirmed, will you commit to taking all steps needed to ensure that FirstNet will stay within its existing $7 billion authorization as the network is deployed, and that it will not come back to seek more money from Congress? It is important to me, and I expect that several of my colleagues on the Committee share this view, that the network be built in a cost-effective and efficient way.

Answer. If confirmed, I look forward to being fully briefed on FirstNet and its deployment strategy. Based on press reports, I am concerned that existing delays point toward cost overruns and, if that appears to be the case, will make corrective measures a priority.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. DAN SULLIVAN TO WILBUR L. ROSS, JR.

Question 1. Commercial and recreational fishing provide significant contributions to our Nation's economy. Alaska's fisheries are by far the largest in the nation, accounting for over 50 percent of total domestic landings and more than 60,000 jobs—making the fisheries industry our largest private employer. Alaska is the superpower of seafood. In many communities, our fisheries are the backbone of their economy. The Magnuson Stevens Fishery Conservation and Management Act (MSA) is a big part of the reason that the United States has the world's best managed fisheries, particularly in Alaska, where we have no overfished stocks. A hallmark of the MSA is the Council process, which are stakeholder driven decision-making bodies that allow those most qualified and invested in the sustainability and health of the resource, the fishermen themselves, to make decisions regarding the management of their fisheries.

Do you share our commitment to sustainable management of U.S. fisheries? Will you support maintaining the existing consensus-based regional council system for fisheries management?

Answer. I share the Committee's commitment to sustainable fisheries as embodied in the Magnuson-Stevens Act. Good science on fish stocks and oceanic conditions is essential to meet the MSA's sustainable fishery goals. I also support the Council system, though I recognize that fishery management under the Council system faces different challenges in each region and look forward to working with each region to address those challenges.

Question 2. In the middle of 2014, Russia put an embargo on seafood imports from the U.S. If we look at what the U.S. exported to Russia before this ban took effect, we can extrapolate and estimate that we've lost well more than $200 million in export value in those two and a half years—most of which would have come from Alaska. In that same period, the U.S. has imported roughly $1 billion in seafood from Russia. We know that the Trump Administration places a high value on having fair trade relationships our trading partners.

How will you use your post as Secretary of Commerce to restore fairness to our seafood trade with Russia and other trade partners?

Answer. Russia undoubtedly and unfairly used seafood as a response to our sanctions. We need to find a way to deal with it.

Question 3. There is a significant backlog of hydrographic charting nationwide, which can adversely affect maritime commerce and increase the risk of marine casualties. This is a huge problem in Alaska where some areas off our coast have chart data collected back in the 1800s when Russia still owned the territory. There is potential to address this backlog through partnerships with the private sector, but there is a need for leadership to make this happen.

Will you work with me to aggressively reduce this charting backlog and increase the use of public private partnerships to achieve this goal?

Answer. Yes. The charting back-log poses a significant challenge. If confirmed I look forward to being briefed on this issue and working with the Department and Congress to address it.

Question 4. For Alaska, NOAA's missions—managing our Nation's fisheries, charting our waters, and providing accurate weather forecasting—are of significant importance. Yet, much of the NOAA staffing and infrastructure for Alaska is located elsewhere.

Will you work with me to ensure NOAA personnel and assets are deployed in a manner that makes sense for both completing the mission and the taxpayers?

Answer. Yes. I support cost-effective measures to improve the NOAA's ability to carry out its mission, and, if confirmed, look forward to working with Congress to implement those measures.

Question 5. The increasingly ice free Arctic is one of the most dynamic regions of growth and investment on Earth. Russia continues to make investments to develop the Northern Sea Route to not only export natural resources from Russia's Arctic, but also to increase international transshipment with Asian countries. The United States has virtually no strategic infrastructure along its Arctic coastline. The United States remains critically unprepared to manage an Arctic open for business.

If confirmed, would you be willing to work with my office on advancing ways to address infrastructure investment in the Arctic?

Answer. Yes. If confirmed, I look forward to being briefed on the efforts to date to improve America's position in the Arctic and working with Congress and the State of Alaska to enhance those efforts.

Question 6. In 2018, the International Whaling Commission will consider quota renewal for our subsistence whaling communities in Alaska. The Department of Commerce plays a critical role in preserving the ability for our Alaska Native communities to continue whaling as they have for millennia.

If confirmed will you work to ensure that our communities can continue to hunt the bowhead whale?

Answer. Yes. If confirmed, I look forward to learning more about the Department's work to support Alaska Native subsistence whaling.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. CORY GARDNER TO WILBUR L. ROSS, JR.

Question. Mr. Ross, in January, the President signed into law my legislation, the American Innovation and Competitiveness Act, which I introduced with Senator Peters, Chairman Thune, and Ranking Member Nelson. This legislation promotes the great work the American scientific community has done to make America globally competitive and aims to refocus our research efforts to keep us competitive.

A portion of this bill highlights the national network of Manufacturing Extension Partnerships (MEPs), which provide small manufacturers with resources and guidance to improve manufacturing processes and bolster domestic manufacturers. My state's MEP, Manufacturer's Edge, has helped numerous Colorado manufacturers gain a competitive advantage and the success of the MEP program is a great example of valuable public-private partnerships.

Will you commit to supporting the MEP program to ensure that our Nation's manufacturers have the tools that they need to compete on a global playing field?

Answer. I have heard only good things about the NIST Manufacturing Extension Partnership. If confirmed, I look forward to being fully briefed on the program and will carefully consider it when allocating resources within the Department.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TODD YOUNG TO WILBUR L. ROSS, JR.

Question 1. Intellectual property is crucial to the well-being of our economy. More money is spent on Research & Development in the U.S. than in any other country in the world. In fact, approximately 30 percent of the American workforce is employed either directly or indirectly in IP-intensive industries. In order to continue accelerating the pace of innovation in our economy, our trading partners must all play by the same rules with respect to market access and protecting intellectual property. How do you plan to utilize trade negotiations to ensure that any potential new trade agreements achieve true 21st century standards in pharmaceutical IP, including, patentability, patent term linkage, patent linkage, and data protection (at least 5 years for small and at least 12 years for large molecules)?

Answer. If confirmed, I look forward to being fully briefed on intellectual property issues. Intellectual property rights should be part of any new negotiations with our trading partners, and agreed upon provisions in both existing agreements and new agreements need enforcement vigorously and urgently.

Question 2. Mr. Ross, one issue we discussed in our meeting was the sheer size and scope of the Commerce Department and the challenges that alone presents to you in leading such a large organization. We also discussed the many opportunities to streamline department functions, reduce redundancies, and eliminate certain Federal Government functions that should be left to the states or private sector. Can I get a commitment from you that you will report to me within 180 days of your confirmation on efficiencies you will recommend to streamline the work of the Commerce Department?

Answer. If confirmed, I intend to conduct a thorough review of the Department's programs and will urgently develop and report an efficiency program.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BILL NELSON TO WILBUR L. ROSS, JR.

Question 1. Last Congress, this committee hosted two weather-related hearings: one on the communication of weather information and the other on hurricanes. Since you live on one of Florida's beautiful barrier islands, I know you personally understand these issues. To save lives and property, we simply must have accurate, timely, and consistent forecasts delivered in a way that is meaningful so that people take action to protect themselves. This is the essential function of the National Weather Service.

Would you agree with me, then, that the dedicated employees of the National Weather Service—like trained meteorologists—are essential public safety personnel? There are vacancies at the National Weather Service that threaten public safety, and I can tell you that rehiring those positions takes months on end. NOAA has been working to improve the efficiency of the hiring process.

Answer. I agree that the National Weather Service serves an essential function. Timely and accurate weather information is crucial to protect both lives and property, and is also essential to the smooth functioning of numerous areas of commerce, including aviation, shipping, fishing and farming, to name just a few. Proper staffing the NWS is therefore important and, if confirmed, I intend to review the current efforts and see how they can be improved.

Question 2. Will you commit to addressing the employment vacancies and exempting National Weather Service public safety employees from any hiring delay or freeze?

Answer. If confirmed, I will do my best to quickly fill all essential positions at the National Weather Service.

Question 3. In 2007, the National Science Board recommended the establishment of a National Hurricane Research Initiative. At the time, Senator Mel Martinez and I introduced legislation to create one. It didn't pass, but NOAA initiated one anyway and called it the Hurricane Forecast Improvement Project. The goal was to reduce the error of hurricane track and intensity forecasts by 20 percent within five years and by 50 percent within 10 years. NOAA has met the five-year goal, which is excellent. But it is essential that we continue that progress and meet the ten-year goal. That's why I worked with the former Chairman of this Committee, Senator Rockefeller, to hold hearings on my bill to congressionally authorize the program. That is why I have worked with Senator Rubio for two Congresses in a row now to authorize the program. Sure enough, in 2016 we had an active hurricane season in Florida, which devastatingly cost lives, damaged property, and harmed our economy. We intend to get the bill signed into law, but in the meantime will you also commit to maintaining and supporting NOAA's Hurricane Forecast Improvement Program?

Answer. As a resident of Southern Florida, I certainly appreciate how important it is that our communities have accurate warnings and forecasts. If confirmed, I look forward to being fully briefed on the National Weather Service and its programs. As I stated at the hearing, it is my experience that European forecasts have been more accurate, and I am optimistic that the new satellites that NOAA is launching will provide better information that will restore the NWS to world leadership in terms of accurate and timely weather forecasting. I am pleased to learn that the Hurricane Forecast Improvement Project has been successful to date, and I look forward to learning more about it and working with you on this important issue.

Question 4. Your questionnaire mentions that one of the tasks at the Department of Commerce requiring dedicated management attention is "launching three more NOAA satellites." To which satellites are you referring?

Answer. My understanding is that the next three scheduled launches are the JPSS–1 polar orbiting satellite in 2017, and the GOES–S and GOES–T geostationary satellites in 2018 and 2019, respectively. These are the satellites to which I was referring. These satellites are a significant expense item in the Department's budget that must be kept on track.

Question 5. You graciously provided responses to written questions that I sent you prior to this hearing. One of those questions had to do with NOAA's aging fleet of ocean-going ships. I was glad to see in your answer that you know from experience how older inefficient vessels can limit the mission of a fleet. NOAA maintains a fleet of aircraft from which they take scientific readings, like the fleet of hurricane hunters that fly around, on top of, and even right through the monster storms. These hurricane hunter planes are aging. In fact, during Hurricane Hermine, NOAA had to ground its one and only Gulfstream jet to do emergency repairs. Luckily, the National Science Foundation and the University Corporation for Atmospheric Research were able to step in so that they still got the measurements we needed to know what the storm would do. Would you agree with me that it's too risky to not have a backup plan for planes that are aging?

Answer. As you know from my previous answer, my experience with managing shipping assets makes me well acquainted with the costs and inefficiencies of operating older equipment. If confirmed I look forward to learning more about the status and issues associated with the hurricane hunter aircraft and will weigh carefully the options for their expeditious replacement if needed.

Question 6. This committee led the effort to create the National Network for Manufacturing Innovation, currently known as Manufacturing USA, which is a network of public-private institutes that promote advanced manufacturing in the United States. The Manufacturing USA network is spearheaded by an interagency office housed at NIST. President-elect Trump has pledged to bring well-paying manufacturing jobs back to the United States. In this effort, if confirmed, will you continue to support the Manufacturing USA network in order to promote the growth of advanced manufacturing in the U.S.?

Answer. I have heard only good reports about the Manufacturing USA program, and look forward, if confirmed, to a thorough briefing on it. As you are aware, President Trump intends to make increased manufacturing in the United States a priority, and programs like Manufacturing USA would appear to be in line with that goal.

Question 7. Since the E.U. has very few phosphate reserves, they rely heavily on imports. However, the E.U. levies a 6.5 percent tariff on U.S. phosphate producers, while the U.S. levies no tariff on phosphate entering our country. That tariff largely shuts out U.S. producers from European markets, leaving it to producers from China, Morocco and other countries to export to the E.U. What do you plan to do to address this problem?

Answer. I believe in fairness, equality and reciprocity in trade relations. If confirmed, I will look into the situation with respect to phosphates and other items where exports from the United States are treated differently from imports into the United States. To the extent there are existing tools available to the Department to address the issue I would give serious consideration, after consultation with the White House and Congress, to making expeditious use of those tools.

Question 8. According to some news reports, President-elect Trump detests multilateral trade agreements. What do you believe is the best way to harmonize regulatory standards across a variety of trade partners, particularly with regard to the automotive industry, medical device industry, boating industry, aerospace industry, and other high tech industries?

Answer. One benefit of reviewing and re-opening as needed our existing trade agreements, as well as negotiating agreements with new partners, is that the negotiations present an opportunity for the United States to harmonize regulatory standards in different industry sectors through these new agreements. By negotiating on a bilateral basis, the United States can maintain a consistent position with respect to standards and each negotiating partner can decide for themselves whether accepting our proposed standards is an acceptable exchange for access to our markets.

Question 9. You have stated that a top priority will be making changes to the North American Free Trade Agreement (NAFTA). Please provide some examples of how you would like to change NAFTA?

Answer. It is obviously premature to discuss the details of what might be negotiated, but during the campaign concerns with compliance and with trade agreement

details were frequently raised. NAFTA issues of concern include rules for country of origin, dispute resolution mechanisms, and simultaneity of concessions. Addressing these concerns will be part of any future negotiations.

Question 10. In Section 9 of your Ethics Agreement, you commit to divesting yourself of significant assets within 90 days and additional assets within 180 days. How do you intend to handle potential conflicts of interest that may arise during this extended period of retained ownership?

Answer. In the event that a matter involving an asset I still hold should arise, I assure you that I will recuse myself in accordance with the commitments that I made in my ethics agreement. Further, I will at all times rely on the monitoring and judgment of the Department's ethics officials to ensure that I do not participate in any matter about which they advise me that a conflict of interest would arise.

Question 11. If confirmed, you will be responsible for overseeing the decennial census in 2020, which is required by the U.S. Constitution and used to apportion seats to states for the House of Representatives, redistricting state legislatures, and distributing Federal funds to local communities. The 2010 Census was far costlier than initial estimates due in large part to poor planning and lack of oversight of its acquisitions. I am concerned that the Census Bureau is repeating some of the same mistakes.

Will you commit to working with the administration to make sure it has the necessary resources and provide regular briefings to Congress to ensure that the Census Bureau effectively manages the 2020 Census so that it is completed on time, on budget, and accurately?

Answer. I will do my very best to ensure that there is a full, fair and accurate 2020 Census, and I look forward to working with the Census Bureau, the Congress and the public in this regard.

Question 12. The American Community Survey (ACS), which replaced the census long form, is conducted every year, and responses are mandatory. The purpose of the ACS is to get more timely and accurate information about communities across the country so that local and state governments and the Federal Government can make informed decisions about the best allocation of resources. Nevertheless, some are concerned that the ACS is too detailed, and privacy advocates worry about the amount and type of information the Federal Government collects. Do you support efforts to keep the ACS mandatory?

Answer. If confirmed, I look forward to being fully briefed on the American Community Survey. I would like to work with the Census Bureau, the Congress and the public to address any concerns and make the ACS as effective as possible in providing full, fair and accurate census data.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO WILBUR L. ROSS, JR.

Question 1. I am concerned about the new Administration's orientation toward Russia and their autocratic leader, Vladimir Putin, especially after the intelligence community's stunning conclusions about Russia's attempts to influence our elections.

You, personally, have experience working with people who are quite close to President Putin. After the Bank of Cyprus was forced to confiscate deposits to stay afloat, many from wealthy Russians suspected of using Cyprus for laundering money and evading taxes back home, you led a group to purchase a large portion of the bank, helping bail out many of these Russian-insider investors.

Several close Putin allies are large investors in the bank and serve on the Bank's board of directors. You've agreed to step down from your positon as vice chair of that very board, and divest yourself of those holdings, but obviously those relationships remain.

How will you shift your focus to represent the interest of the American people instead of your former Russian business partners?

Answer. The Russians who invested in the Bank of Cyprus were not my partners. The Bank of Cyprus is a publicly traded company listed on the London Stock Exchange. I had never had dealings with any of them prior to my investment in the Bank. I have only met once, for one hour, the principal Russian investor, and then only after he had invested in the Bank.

Question 2. The National Telecommunications and Information Administration (NTIA) is principally responsible for advising the President on telecommunications and information policy issues.

Historically, NTIA's programs and policymaking focus largely on expanding broadband Internet access and adoption in America, expanding the use of spectrum by all users, and ensuring that the Internet remains an engine for continued innovation and economic growth. These goals are critical to America's competitiveness in the 21st century global economy and to addressing many of the Nation's most pressing needs, such as improving education, health care, and public safety.

In addition NTIA represents the President in both domestic and international telecommunications and information policy activities. NTIA is also a leading source of research and data on the status of broadband availability and adoption in America.

Promoting a free and open Internet and unleashing spectrum for broadband applications have been two key drivers of domestic economic growth. And promoting these policies overseas have helped our tech companies gain and maintain strength. How do you intend to continue these policies in order to create jobs and promote the competitiveness that undergirds the success of the Internet economy?

Answer. If confirmed, I will work with NTIA to promote the availability of spectrum for broadband applications and new innovation, including the Internet of Things, while ensuring that the long-term needs of the United States continue to be met.

Question 3. The economy's future success depends on delivering educational opportunities in computer science based on proven strategies. Research funded through this program will enable educators to teach this critical subject more effectively and bring new skills to underserved communities. Computing jobs are growing in every industry and in every state. Despite this compelling fact, there are currently more than 20,000 open computing jobs in Washington state, and more than 500,000 nationwide.

The U.S. Department of Labor estimates there will be 4.4 million jobs in computer and information technology occupations by 2024. Despite the clear need for a workforce with coding and programming skills, students in 75 percent of our Nation's schools graduate high school with no computer science education.

The American Innovation and Competitiveness Act S. 3084 which passed at the end of last year represents an important in investment in American ingenuity and continued and research and development to promote ingenuity and innovation.

It improves the investment in computer science education by creating a program within commerce's National Science Foundation to promote research on computer science teaching models, tools, and materials, with a focus on instruction for low-income, rural, and tribal students.

The program also emphasizes preparing incoming teachers to integrate computer science and computational thinking into their classrooms in innovative ways.

What is your view on the role of government to support science research and computer science learning?

Answer. I agree that science research and computer science learning are important to the economy. If confirmed, I look forward to working with the Department and Congress on this important issue.

Question 4. Mr. Ross, I want to ensure that you are aware of an ongoing dispute between the U.S. and the European Union (EU) regarding illegal aircraft subsidies. Last September, the World Trade Organization (WTO) ruled that European governments had not removed the harm caused to America's aerospace sector by $17 billion of illegal subsidies and—to add insult to injury—found that the Europeans have dispensed and additional $5 billion in illegal subsidies for the development of the Airbus A350 wide body aircraft. That brings the total of illegal European subsidies for Airbus to $22 billion.

In fact, the original WTO panel concluded: "It is in our view clear that Airbus would have been unable to bring to the market the Large Commercial Aircraft (LCA) that it launched but for the specific subsidies it received from the European Communities and the governments of France, Germany, Spain and the United Kingdom." This company—that the WTO found would not have existed but for these huge government subsidies—drove McDonnell Douglas and Lockheed out of the commercial aircraft business, taking with them thousands of American jobs.

Government subsidies to Airbus continue to destroy American jobs. As you may know, Boeing manufacturers the vast majority of its commercial aircraft in my home state of Washington. And, the export of these aircraft support high-skilled jobs in Washington State and throughout the country. According to the Commerce Department: "In 2015, the U.S. aerospace industry contributed $144.1 billion in export sales to the U.S. economy. The industry's positive trade balance of $82.5 billion that year was the largest trade surplus of any manufacturing industry, supporting high-wage jobs for hundreds of thousands of American workers."

It is imperative that U.S. companies compete with overseas rivals on a level playing field. If confirmed, I would urge you and the rest of the incoming Administration to continue to press the Europeans to stop massively subsidizing Airbus aircraft.

Answer. Based on everything I have read the WTO was correct in finding that Airbus received major illegal subsidies but erred in its finding that Boeing received illegal state support.

Question 5. American competitiveness in critical parts of the global innovation economy is at risk. While the U.S. economy continues to rely on longstanding principles of private markets and competition, U.S. companies are increasingly facing competition in a host of industries from foreign companies backed by the power of their home governments.

My colleagues and I in Congress are troubled to observe that certain foreign governments are subjecting American companies to antitrust investigations that lack due process protections in an effort to transfer U.S. patented technology to their domestic companies, or to insulate their domestic companies from U.S.-based competition. Korean and Chinese antitrust investigations in particular have targeted U.S., European, and other Asian life sciences companies, automobile companies, and technology companies.

Over the past two years, we are aware of nearly 30 investigations across a range of industries—including manufacturing, life sciences, and technology—brought against foreign companies by Chinese and Korean antitrust authorities.

In particular, foreign governments are using their antitrust authority to diminish U.S. intellectual property rights, including patent licensing. As you know, our patent system has been a driver of American innovation since the founding, and the protection of intellectual property has been a key component of American economic and foreign policy.

The use of antitrust as a tool of industrial policy undermines U.S. patent rights, suppresses innovation, and puts U.S. competitiveness in the industry at risk. In addition, antitrust investigations in China and Korea have been marred by serious procedural deficiencies that violate fundamental norms of due process and are inconsistent with international trade obligations.

How should the U.S. respond to these aggressive tactics to steal U.S. intellectual property? What mechanisms are available to U.S. companies subjected to industrial policy motivated competition investigations in foreign jurisdictions? U.S. trade agreements include important Intellectual Property (IP) and due process protections. If you are confirmed, how will ensure that our trading partners are living up to their end of the bargain to treat our companies fairly, including in competition proceedings? What actions do you recommend Congress pursue to address these challenges?

Answer. I regard abusive "anti-trust" proceedings as one of the most insidious means of intellectual property theft and will work hard to prevent the perpetrators from benefitting from such activities. It may well be necessary for there to be Congressional action to deal with this problem and I look forward to working with you to determine if such action would be effective.

Question 6. The U.S. semiconductor industry serves as an instructive example of the impact of foreign antitrust policy. According to a 2016 Report from the U.S. Patent and Trademark Office and the Economic and Statistics Administration, semiconductors are among the highest-value intellectual property-intensive exports from the United States, accounting for over $54 billion in exports. As a recent report on the semiconductor industry from the President's Council of Advisors on Science and Technology highlights, foreign government efforts to support their domestic companies through antitrust enforcement against foreign companies comes as several Asian companies position themselves to dominate the 5G wireless standard, which the international standards community is currently developing.

The use of antitrust as a tool of industrial policy undermines U.S. patent rights, suppresses innovation in wireless technology, and puts U.S. competitiveness in the industry at risk.

Are you concerned that these policies, if left unchecked, could result in foreign control of the 5G wireless standard? Do you agree that foreign control of the state-of-the-art communications standard would have serious implications for U.S. privacy and cybersecurity for years, if not decades? If confirmed, how would you address these national security concerns? How can we protect U.S. innovators from being eclipsed by government-backed competitors? If confirmed as Secretary of Commerce, what policies or initiatives would you pursue to bolster U.S. innovation and competitiveness in the global marketplace?

Answer. It is my understanding that multiple bureaus of the Department are involved in tracking the development of the 5G wireless standards. I share your con-

cern about foreign efforts to control standards or processes that are essential to continued innovation in communications and other important economic sectors. Standard setting is among the functions of NIST and, if confirmed, I do not intend to yield standard setting to foreigners.

Intellectual property theft by government-backed competitors and State-owned enterprises is also an issue, and if confirmed I will work with the Bureau of Industry and Security, USPTO and other elements of the Department to address the multiple elements of this issue.

Strengthening our cybersecurity is critical to U.S. trade and national security. If confirmed, I will work proactively with our interagency and industry partners to address the cybersecurity and privacy challenges that our Nation currently faces and will regularly review the Department's efforts to ensure that markets remain open to U.S. innovators.

Foreign control of the semi-conductor industry is also a critical issue. If confirmed, I will work with the Bureau of Industry and Security and the Committee on Foreign Investment in the United States (CFIUS), along with other elements of the U.S. Government, to counteract this problem.

Question 7. Washington state's export markets are our North American partners as well as Asia. Exports to Mexico, Canada, and China make up more than a third of Washington's total exports. These markets have allowed our state to enjoy a tremendous trade surplus and to create and maintain jobs, something I imagine you see as a goal for the Nation. However, the incoming Administration's proposed trade policies will likely have a negative effect on my state's trade. Do my apple, pear, and cherry growers, who together export more than $180 million of product to Mexico every year, need to worry about becoming the victims of a major trade dispute? How are your trade policies going to work for all of us and avoid jeopardizing the gains we've made in international trade?

Answer. The choices are not NAFTA or a trade war. The President-elect and I do favor renegotiation. Because agriculture is one of the activities that Americans do best, if confirmed, one of my goals in a renegotiation would be to increase our agricultural exports.

Question 8. Our aerospace industry relies heavily on supply chain integration with Mexico and Canada, our North American partners. This is a sector where the U.S. value added is at 60 percent. The NAFTA agreement has enabled us to create a seamless supply chain, where inputs often cross the border multiple times before going into a final product. This has enhanced North America's competitiveness, allowing our industries to create 21st century jobs for America.

You are likely familiar with similar cross-border synergies, having served as Chairman of the International Auto Components Group. Dismantling the agreement would severely impact Washington's aircraft industry and our entire state's economy. How will the incoming Administration's proposed policies ensure that these longstanding ties between private businesses continue to thrive?

Answer. I am thoroughly familiar with the necessity for fully seamless supply chains.

Question 9. You have been a vocal advocate of tariffs as a way to protect domestic manufacturers and increase domestic employment, but data consistently proves that imposing tariffs on imports does little to bring jobs back to the United States. For example, when the United States imposed significant duties on Chinese tire imports in 2009, estimates found that—at best—1,200 jobs were saved in the United States, but costs to American consumers went up by about $1.1 billion.

That works out to a cost of $900,000 spent by Americans per job saved. Tariffs on other products would likely have the same effect—few jobs saved, since manufacturing would likely either shift to other low-cost production sites or to more automation, rather than hiring more workers at home.

Separate from that, of course, is the jobs that will be lost at home when our trading partners respond in kind by putting tariffs on imports into their countries or stop buying the goods and services of U.S. companies operating in their markets directly. Are you concerned the tariff proposals you are considering may ignite trade wars?

Answer. As I said at the hearing, tariffs are simply one tool in our trade toolbox. Used properly, tariffs can be an effective tool to redress dumping and other unfair trade practices.

Question 10. Thousands of U.S. businesses, large and small, have customers overseas. With the explosion of cloud computing, nearly all of them depend on their ability to transfer information rapidly and efficiently to and from facilities and customers outside the United States. Digitally-enabled trade to and from the United States amounts to more than $500 billion and generated a services trade surplus

of over $230 billion. It has played a role in the creation of up to 2.5 million U.S. jobs. But digital trade is vulnerable to protectionist restrictions imposed by foreign governments restricting the free flow of data and requiring that it be stored within foreign countries. These forced localization restrictions are increasing across the globe. The Commerce Department has been a leader in U.S. efforts to combat such restrictions. As Secretary, what efforts will you undertake with foreign governments to enable digital trade to thrive and grow?

Answer. The United States must ensure continued trust in the privacy and security of the Internet, which is necessary to facilitate the continued free flow of information around the world. American businesses in the digital space, both large and small, depend on an online digital ecosystem that has the confidence of potential users and customers. That is why, if confirmed, I will ensure the Department of Commerce has a seat at the table, alongside intelligence, diplomatic and other agencies, in all policy discussions related to practices that may affect digital data flows.

Question 11. American businesses of all sizes are world leaders in the new data-driven economy, driving the fields of cloud computing, data analytics, the Internet of Things, and others. They depend on the ability to transfer information across borders to and from the United States. However, many foreign governments are restricting the free flow of data. We are increasingly seeing policies that try to force U.S. businesses to shed jobs in the U.S. and localize them into foreign markets. Congress has called for action against digital trade impediments. The President has extensive trade enforcement authorities. As Secretary, what actions will you pursue to obtain a level playing field for America's digital trade champions?

Answer. I oppose localization of data and if confirmed will work hard to protect our companies against it. It may well be useful to take some countervailing measures. As to Congressional action, if confirmed, I will work with Commerce Department's General Counsel to determine whether our response to the problem might necessitate legislation.

Question 12. Transatlantic data flows are enormous, and critical to U.S. business and to job growth in the United States. But the European Union repeatedly has destabilized data transfers to the United States, most recently by invalidating the Safe Harbor Framework administered by the Department of Commerce. Commerce led successful efforts to put a successor agreement, the U.S.-EU Privacy Shield, in place in 2016. Close to 1,800 companies of all types and sizes already have joined or are in the process of signing up for the Privacy Shield. It is of particular benefit to smaller and medium-sized companies. European privacy advocates have challenged the Privacy Shield, however, including in a pending European court case. As Secretary, what efforts will you take to implement and defend this important agreement?

Answer. If confirmed, as Secretary of Commerce I will be responsible for promoting the foreign and domestic commerce of the United States. I will do my best to do so in all areas, including with respect to digital trade and data privacy. Should the European courts find any essential part of the Privacy Shield is contrary to law, the Department will once again lead efforts to find a solution.

Question 13. Cloud computing, data analytics and other technological advances have led to incredible growth in the amount and economic importance of data flowing between the United States and Europe. Small and large businesses of all kinds in the U.S. rely on data transfers to compete and grow in the EU. However, these data flows to the U.S. have been under attack in Europe. One of the most serious problems recently was the invalidating of the Safe Harbor Framework administered by the Department of Commerce. Concerns about U.S. Government surveillance of European communications were a principal cause of this attack on data flows to the US. The Commerce-negotiated successor agreement, the U.S.-EU Privacy Shield, has been enormously important for U.S. businesses to operate and expand in Europe. The ongoing success of the Privacy Shield requires European confidence that our government sufficiently respects foreign privacy interests when conducting national security surveillance. As Secretary, will the Commerce Department work with U.S. intelligence and diplomatic agencies to maintain the level of trust on which the free flow of data for commercial purposes depends?

Answer. I am a strong believer in the benefits of cloud computing. If confirmed I look forward to learning more about the Department's work in this area and what additional steps the Department can take, both alone and in concert with other Federal agencies, to facilitate cloud computing and other forms of electronic commerce and communications.

Question 14. The Commerce Department has an important role in licensing and enforcing U.S. export controls on dual use goods that could be used for either civilian or military purposes. There is always tension between promoting exports and

the free flow of commerce and protecting U.S. national security. It is also difficult for the U.S. to keep up with technology as it rapidly improves to keep U.S. export policy up to date with current technology. What are your priorities for updating U.S. Export policy? How will you balance the promotion of exports and the control of technology to protect U.S. national security?

Answer. I will work with all the stakeholders, including those at Commerce and the other Federal agencies, industry and the Congress, to ensure U.S. companies can compete in international markets while protecting our national security and foreign policy interests.

Question 15. We do not want to give Russia, China or North Korea any additional tools to hack into U.S. systems and infrastructure. Our power grids and other infrastructure are already way too vulnerable. How will you make sure that Russian and other foreign companies do not end up with controlled U.S. Technology given some of their recent aggressive and hostile actions against the United States?

Answer. If confirmed, I will review the existing controls with the relevant stakeholders to ensure the controls are sufficient to prevent sensitive U.S. technology from ending up in the wrong hands.

Question 16. Mr. Ross, you have been quoted as being against free trade agreements including the Trans-Pacific Partnership and have stated that the U.S. needs a "more radical, new approach to government." The TPP is significant as it includes for the first time ever in a fair trade agreement provisions protecting wildlife and farm animals, and some of the toughest environmental protections of any trade agreement in history. What does your approach to trade agreements look like and does it include consideration for environmental, farm animals, and wildlife protections?

Answer. Those are certainly appropriate topics for negotiations. But I am a big believer in quantification of objectives and having clear tools for enforcement.

Question 17. As the Secretary of Commerce, you would oversee NOAA, and the National Weather Service. President-Elect Trump has called for a "hiring freeze on Federal employees to reduce the Federal workforce." This freeze would not apply to the military, or to jobs that impact public health and safety.

Mr. Ross, if confirmed, would you determine that National Weather Service employees fall under the latter category: jobs that impact public health and safety? As of mid-December, more than 650 jobs were vacant at the National Weather Service, including many that are deemed "Emergency Essential" by the Department of Commerce. Will filling these vacancies be a priority for you, if confirmed? What will you do to ensure that a huge employee deficit, like the one impacting the National Weather Service today, does not happen during your tenure as Secretary?

Answer. An early priority, if confirmed, will be to meet with the management of the National Weather Service to understand why they have so many positions unfilled. I will take steps to see that "emergency essential" personnel responsibilities are being appropriately handled, and if I am convinced the NWS are understaffed I will work diligently to address the issue.

Question 18. Under your leadership, what improvements could be made to the operations, management and effectiveness of the National Weather Service? Do you see opportunities for increased stakeholder engagement in identifying and addressing gaps in technologies and research?

Answer. If confirmed, I look forward to getting fully briefed on the Weather Service and its programs. I agree the NWS plays a critical role in protecting lives and property, and I look forward to working with you and Congress to address these important issues.

Question 19. One of the primary criticisms of the Weather Service is the fact that the operational forecasters at The National Weather Service are in a different silo compared to the NOAA scientists in the Office of Atmospheric Research (or OAR) who are tasked with research and development of new weather forecasting models, etc. While we have been aware of this problem for some time, very little has been done to address it. How do you propose we improve research, development and operations of weather research and operations between the National Weather Service and the Office of Atmospheric Research?

Answer. See the answer to the previous question.

Question 19. In 2011, Washington state became the first state to receive full dual polarization Doppler radar coverage—the best Doppler radar technology available. Despite this upgrade, there are still Doppler radar coverage gaps, including a large gap in Central Washington. Forecasting in this region is essential for emergency responders who need accurate and timely weather data to safely fight wildfires. This gap also impacts highly populated areas, including Seattle and Tacoma, because it

is difficult to track weather systems approaching from the East. I am concerned that NOAA does not have a plan to fill the Doppler radar gap in Central Washington. As Secretary, will you work with me to address the Doppler radar gap in Central Washington?

Answer. I agree that the NOAA plays a critical role in protecting lives and property through accurate and timely weather forecasting. As a resident of Southern Florida, I certainly appreciate how important it is that our communities have accurate warnings and forecasts. If confirmed, I look forward to working with you on this issue.

Question 20. Every day men and women serving in the Coast Guard risk their lives to carry out search and rescue missions. On average, the Coast Guard conducts 45 search and rescue cases per day with many of these operations occurring in very remote areas of our country. Success of these missions and the lives of these brave men and women are heavily reliant on timely and accurate weather forecasts.

If confirmed, what is your plan to improving weather data, forecasting, and modeling for remote areas of the country and ensuring these weather products are readily available to the Coast Guard and the public? There are a number of heavy weather stations in Washington state. These stations are in areas with significant oceanographic and atmospheric monitoring needs to ensure safe transportation there. Often buoys are damaged by extreme storms, or are lost at sea. Yet due to aging vessel assets and vessel availability, sometimes there is a long lag before NOAA weather buoys can be repaired. What will you do to improve response to broken and lost oceanographic infrastructure, particularly in areas that are known to be dangerous to mariners, as well as areas that are critical for Coast Guard search and rescue operations?

Answer. I support NOAA's fleet modernization plan, which would help to address this issue. A clear goal of the Weather Service is to provide accurate and timely weather forecasting to the public, and if confirmed I look forward to learning more about the situation for Washington state and remote communities.

Question 21. Believe it or not—fisheries will be a big part of your job as Secretary of Commerce. Part of supporting fishing and maritime jobs, is ensuring that we will continue to support and rebuild sustainable fish stocks that those jobs depend on. Will you support Pacific salmon funding including: Pacific Coastal Salmon Recovery Fund, the Mitchell Act, Salmon Management, Protected Species: Salmon, and hatchery funding?

Answer. I have not yet been briefed on Pacific salmon fishing issues. If confirmed, I look forward to working with you on this important matter.

Question 22. As Secretary of Commerce, you would oversee programs critical to job growth in Washington state's $30 billion maritime sector. Fishing supports shipbuilding, gear manufacturing, seafood processing, restaurant, trade and other jobs. Will you commit to making fishing jobs a priority of the Department of Commerce? What is your plan to support fishing and maritime jobs in the United States?

Answer. I support sustainable fishing under the Magnuson-Stevens Act. By maintaining healthy fish stocks the Department of Commerce ensures the continuation of good jobs in the commercial and recreational fisheries and the marine industries that support fishing.

Question 23. I understand that as a key part of the business plan for Diamond Shipping company—one of your ventures—was to build all 33 tanker vessels overseas, in South Korea and Japan not in American shipyards. While you acquired this company when these 33 vessels had already been built, your S1 form submitted to the SEC in 2014 indicated that Diamond Shipping intended to build 6 new medium range tanker vessels in South Korea, for delivery in 2014 and 2016—when you had acquired shares and served as the Director. I am concerned that this is another example of exporting potential American middleclass jobs overseas, when we need good shipbuilding jobs here at home. As Secretary, what will you do to support American shipyards?

Answer. I support NOAA's fleet modernization plan. All NOAA vessels are U.S. flagged vessels built and repaired in U.S. shipyards.

Question 24. Yes or no: Do you support the Jones Act?

Answer. As I said at the hearing, I support the Jones Act and believe it has been instrumental in maintaining American shipbuilding jobs.

Question 25. In an effort to support American shipyards, what shipbuilding, training and other maritime workforce investments will you consider as a part of the Trump infrastructure plan?

Answer. If confirmed, I look forward to working with the President and Congress to enact an infrastructure plan that maximizes jobs for American workers while im-

proving our Nation's economic foundation and enhancing our technological leadership.

Question 26. Thousands of commercial, subsistence and recreational fishermen have contacted me about protecting salmon in Bristol Bay, Alaska. Bristol Bay is home to the largest sockeye fishery in the world, and one of the largest Chinook fisheries. The commercial sockeye fishery is worth $1.5 billion alone, supporting thousands of jobs in Washington state.

According to EPA's Draft Watershed Assessment released on April 30, 2013, "An Assessment of the Potential Mining Impacts on Salmon Ecosystems of Bristol Bay, Alaska" (EPA 910–R–12–004Ba), the proposed Pebble Mine threatens Bristol Bay salmon habitat. The Pebble Mine would be one of the largest hard rock mines in the world and the largest copper porphyry mine in the United States. Water contamination and habitat loss from the construction and operation of a hard rock mine in Bristol Bay would put thousands of fishery-related family wage jobs at risk.

NOAA is responsible for research and aspects of salmon management in the Bristol Bay region. What is your position on the proposed Bristol Bay Pebble Mine? Are you prepared to direct NOAA fishery scientists and economists to become more engaged with the EPA?

Answer. NOAA scientists will provide comments on EPA permits for matters under NOAA's jurisdiction as part of the National Environmental Policy Act (NEPA) process. I look forward to reviewing those comments, and discussing this issue with you as it unfolds.

Question 27. In addition to the $1.5 billion annual economic value of the Bristol Bay sockeye fishery, are you aware of the importance Bristol Bay salmon to Alaska Native subsistence users? Subsistence salmon harvest is 60 percent of the overall diet of most area residents. Not only is subsistence salmon at the center of Alaska Native culture, but today, an economic imperative as well. Are you familiar with the cost of living in rural Alaska? The cost of one gallon of milk can be as high as $10.00. There is no replacement value for subsistence fish that is a necessary part of the subsistence diet. How do you view the Department of Commerce's role in ensuring subsistence salmon users have healthy salmon runs for generations to come? How will your agency work with Alaska Native people to ensure they have a voice in fisheries management and research?

Have you ever consulted with a federally-recognized Tribe? What training have you received regarding the Federal Government's treaty trust responsibility to Indian Tribes? What training will you receive to understand and participate in government to government consultation with Indian Tribes?

The Council on Environmental Policy in the Executive Office of the President has been working with the Department of Commerce and NOAA to better support the Treaty Rights At Risk Initiative of the Northwest Indian Fisheries Commission. Will you support this work to ensure our tribes have fish for generations to come?

Answer. If confirmed, I look forward to being involved in government to government consultations with Federally-recognized Tribes and being briefed on the treaties and statutes that are in place to protect subsistence fishing resources in Alaska and the Pacific Northwest. It is my understanding that the United States has been a global leader in ending high seas driftnet fishing practices that adversely impacted U.S. and Canadian salmon, and that the North Pacific Fishery Management Council regularly adopts fishing quotas and bycatch limits that are designed to ensure sustainable subsistence catches in Alaska.

Question 28. The Commerce Department undertakes many important missions, and fisheries management is one of the most significant. As you know, commercial and recreational fishing provide material contributions to our Nation's economy. In 2015, the commercial marine fishing industry contributed $48.7 billion to the gross national product, and U.S. consumers spent an estimated $96 billion on fishery products. Some 8.9 million marine recreational anglers fished in 2015, contributing additional billions to the U.S. economy. Over the past twenty plus years, this Committee has overseen a significant improvement in the status of the Nation's fisheries. Since 2000, NOAA Fisheries reports that 40 formerly overfished species have been rebuilt and the number of overfished species has dropped from 92 to 38. Continuing this positive trend remains one of the Commerce Department's most important missions, since struggling fish populations curtail fishing opportunities.

Do you share our commitment to improving sustainable management of U.S. fisheries, including increasing U.S. jobs and revenue for fishing businesses?

What should the role of science be in fisheries management?

What do you see as the primary challenges to improving fisheries management, and how would you address those challenges?

In your submissions to the Committee, you stated that one of the principal challenges facing the Commerce Department is: "Integrating Technology into the Department to improve efficiency as well as the timeliness, depth, and breadth of data . . ."

Many fishermen and others have expressed concern about the nature of fisheries data collected by the National Oceanic and Atmospheric Administration, one of the Department's largest subagencies. Stakeholders doubt that NOAA collects data as efficiently and effectively as it could, and that antiquated internal processes limit the utility of that data when it is collected.

How would you improve fisheries data collection and analysis? How important is user generated data, and to what extent can we leverage that data to improve the science behind fishery management decisions?

Collecting, analyzing and deploying accurate and timely data on the nature, condition, and extent of our fisheries can help ensure that these stocks are managed in the most economically effective ways to the long-term benefit of our fishermen and fishing communities. As part of this system of management, electronic monitoring and reporting of catch can be a cost-effective way to more quickly and efficiently embrace these goals.

Would you support continuing to integrate this technology in order to help fishermen by improving management?

Answer. I share the Committee's commitment to sustainable fisheries as embodied in the Magnuson-Stevens Act. Good science on fish stocks and oceanic conditions is essential to meet the MSA's sustainable fishery goals. Collecting accurate information regarding directed fishing and bycatch is a critical component of effective fishery management. I am aware that stationing observers on smaller fishing vessels can be challenging. If confirmed, I would support continuing to work with industry to find cost effective, accurate and timely methods for catch and bycatch reporting in order to improve fishery management.

Question 29. Two-thirds of all seafood landed in the U.S. is exported and two-thirds of those exports come from seafood companies operating in Alaska and the Pacific Northwest. Our most important markets are China, Japan and the EU. At least from a seafood trade perspective, the Trans-Pacific Partnership (TPP) was the kind of big win that President-elect Trump has touted for trade agreements. Japan reduced or eliminated tariffs for a number of important seafood products exported from Washington State, including Alaska pollock, Pacific cod and salmon. The U.S. didn't make any meaningful concessions because we have few tariffs on imported seafood. Washington state strongly supported the seafood provisions in the TPP which also could have set the stage for a T–TIP agreement that would have provided further benefits.

Both NOAA Fisheries trade offices and the International Trade Administration should be working closely with our seafood industry to knock down foreign tariffs and eliminate other trade barriers. Washington seafood companies are facing strong headwinds from a strong dollar and stalled trade agreements.

Will you make seafood export promotion a priority working through two key agencies within the Department of Commerce?

How do you propose the Administration could work more closely with the fishing industry on trade priorities and vulnerabilities?

Much of the Alaska fishing fleet is based in Washington, creating thousands of jobs in both states. Over the past five years, approximately 80 percent of Alaska's groundfish and crab production was sold to export markets—and about one-third of that production volume is reprocessed in China. After secondary processing in China, these products are re-exported to markets in Europe, the United States, and Japan—ultimately bringing money back to the United States and improving our trade deficit. Fishing companies and fishermen in Washington are concerned that significant import tariff adjustments to reprocessed Alaska groundfish and crab products could increase their cost of business, increase prices and harm our state's economy. Do you support maintaining the current tariff schedule for these products?

Answer. If confirmed, I look forward to finding ways to address the current trade imbalance in fisheries so that our fishery resources create more jobs here in America. I have not been briefed on the work that NOAA fishery trade offices and the International Trade Administration are doing with industry, but if confirmed I will certainly learn more about those efforts and look forward to working with you and other members of the Committee on these matters.

Question 30. The REFI Pacific Act was enacted into law as part of the 2014 National Defense Authorization Act. The REFI Pacific Act authorizes NOAA Fisheries to refinance a buyback loan originally issued in 2005 to the west coast groundfish sector. The original loan was issued to reduce capacity by decreasing the number

of participants in the fishery through a voluntary buyback program to be repaid by the remaining participants in the fishery. While it effectively removed excess fishing capacity and was an important first step towards the now rationalized and sustainable fishery, the original loan resulted in unintended consequences for the remaining participants in the fleet, including:

1. The interest rate on the original loan is high, at 6.95 percent, much higher than the treasury rate.
2. The landings fee used to collect the loan payment is high at 5 percent of ex-vessel landings value per trip.
3. Due to a failure of NOAA Fisheries to issue regulations in a timely manner to implement the landings fee nearly $8 Million in excess interest accumulated on the loan before payments could be made.

The REFI Pacific Act was enacted into law in order to lower the interest rate down to PRIME + 0 percent and lower the landings fee down to 3 percent or lower. At the time of its passage, we understood the cost of the legislation to be fully covered by the offsets provided in the NDAA. After enactment, the Office of Management & Budget determined that implementation of the Act would require a $10 Million appropriation to NOAA Fisheries to offset the foregone revenue to the Treasury.

While NOAA included this $10M in its FY15 and FY16 Budget requests, the lack of completed appropriations bills has made securing this appropriation impossible. More importantly, we believe the OMB determination is in error and that such an appropriation should not even be required.

Will you pledge, if confirmed, to work with my office and the other sponsors of the REFI Pacific Act as well as OMB to find an effective pathway forward to resolve this issue once and for all and provide our west coast fishermen with the economic relief they need? Would you support creative approaches, including third party financing to allow fishermen to pay off the loan, soonest?

Answer. I have not yet been briefed on the REFI Act but if confirmed commit to reviewing the matter carefully to identify ways to resolve it.

Question 31. I am concerned about potential conflicts of interest and appearance of conflicts between your position, if confirmed, as Secretary of Commerce, and your financial interest in the Diamond S. Shipping Group. In your letter to the Department of Commerce Designated Agency Ethics Official Mr. David Maggi, dated January 15, 2017, you stated your intent to retain financial interest in the Diamond S. Shipping Group, the second largest medium-range tanker company in the world. Diamond S. Shipping owns and operates 33 tanker vessels that transport petroleum and other potentially hazardous products. The Department of Commerce plays a significant role in oil spill research, mitigation, recovery and response of petroleum products, and plays an oversight role when oil is spilled from a ships, including medium range tankers. I request that you supply the members of the Senate Committee on Commerce Science and Transportation with a detailed accounting of which specific shipping and oil spill related activities you will recuse yourself from, if confirmed as the Secretary of Commerce.

In March 1989, the *Exxon Valdez* tanker spilled 11 million gallons of oil in Prince William Sound in Alaska, resulting in devastating impacts to the environment and the regional economy. Shortly after, the Oil Pollution Act of 1990 (33 U.S.C. § 2701 et seq.) was signed into law by President George H.W. Bush on August 18, 1990. The Oil Pollution Act is the primary law governing polluter liability, the Oil Spill Liability Trust Fund, and oil spill response, prevention and research. In summary, the Oil Pollution Act is how we make polluters—not taxpayers—pay for oil spills. The law grants the Department of Commerce significant authorities and responsibilities with regards to oil spill response and environmental restoration. In the decades since the passage of this iconic bill, former Secretaries of Commerce have had a critical role in oil spill response, enhancing and expanding oil spill monitoring, research, risk management and economic development activities related to oil spills under their authority.

As Secretary of Commerce, you would oversee oil spill activities related to the shipping industry. Your decisions could impact the regulatory environment for both your own and your competitor's shipping companies. You would also have authority to determine the financial liability facing tanker companies that pollute our waters.

In your letter to Commerce ethics on January 15, 2017, you stated:

> *"I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity or its underlying assets for as long as I own it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2)."*

However, when I inquired about your intentions to recuse yourself from oil spill related duties if confirmed at your nomination hearing in the Department of Commerce, your response was:

> *"The research has suggested that there has never been a shipping case before the Commerce Department."*

The *Exxon Valdez* tanker oil spill is a glaring example of a "shipping case" before the Department of Commerce. It has been 27 years since this oil spill—and the Department of Commerce and the National Oceanic and Atmospheric Administration (NOAA) are still monitoring, studying and mitigating the oil spill impacts to the environment. In 2014, NOAA published a report on the lessons learned 25 years after the spill. The report contained a catalog of devastating ongoing impacts including the likely local extinction of a pod of orcas, severe damage to Pacific herring populations, and significant declines in important forage fish species in the marine ecosystem.

While you stated that your research had not identified a shipping case before the Department of Commerce, your own Securities and Exchange Commission filings contradict your statement to the Senate Commerce Committee. Diamond S. Shipping Group's 2014 S1 Form filed with the Securities and Exchange Commission outlined the Oil Pollution Act as a law that applies to the company's shipping operations, and therefore, investors such as yourself. The Department of Commerce is responsible for carrying out significant portions of the Oil Pollution Act. This clearly presents a conflict of interest between your potential role as Secretary, and your role an investor in the shipping industry as a participant, and a competitor.

To that end, I ask you to clarify the types of activities that you will recuse yourself from, if you are confirmed, as the Secretary of Commerce. Specifically, will you recuse yourself from:

- Natural Resource Damage Assessments related to oil spills in the marine environment or other environments that fall under the Department of Commerce (33 U.S. Code § 2706);
- Oil spill monitoring decisions, including oversight of the Federal budget requests with respect to monitoring during and after oil spills, as well as determinations with regard to developing baseline datasets needed for future oil spill Natural Resource Damage Assessments (33 U.S.C. § 2712);
- Federal fishery disaster determinations in areas during or after an oil spill (16 U.S.C § 1861a and 1864);
- Oil spill research, including oversight of the NOAA budget on oil spill prevention, response, risk management, policy and other research (33 U.S.C. 2761 and 2762);
- Any decisions related to NOAA's participation on the Interagency Coordinating Committee on Oil Pollution Research (33 U.S.C. 2761) as well as any influence on the prioritization of agency exclusive or collaborative oil spill research projects and initiatives;
- Membership, actions, and decisions related to the Gulf Coast Ecosystem Restoration Council as established by the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (33 U.S.C. 1321):
- Any oversight of oil spill response, preparedness, prevention, risk assessments and research which relate to Puget Sound (33 U.S.C. 2761).

Answer. I am fully supportive of the vital work NOAA is engaged in with respect to planning for and executing responses to oil spills in our Nation's marine waterways, for assessing natural resource damage that results from such spills, and for working on mitigation and recovery plans. As I hope I made clear in my testimony, I regard the scientific enterprise of NOAA, and other elements of the Commerce Department, as a great national resource. Particularly as a Floridian, I share your concern for protection of all marine environments, and for the economic disruption that may result from an oil spill in vital commercial waterways.

You are certainly correct that, if confirmed, my duties as Secretary of Commerce will include oversight to ensure effective execution by NOAA of its oil spill response and recovery responsibilities. Indeed, it is exactly because of my role as head of the Department, as well as my commitment to these programs, that I cannot undertake the broad and preemptive recusal that you propose. Your proposal is far broader than the recusal required by Congress in section 208 of Title 18, United States Code, and the Executive Branch in implementing regulations. This law and the implementing regulations are administered by Department of Commerce ethics offi-

cials and the Office of Government Ethics, both of whom review and determine the extent of any recusals necessary under the law.

As you know, Congress in section 1006 of the Oil Pollution Act (33 U.S.C. 2706) specifically identified the NOAA Administrator as the primary person in the Department responsible for natural resource damage assessment implementation. The vast majority of NOAA oil spill response and recovery activities are conducted within NOAA by scientists, NOAA Corps officers, and other professionals under the direction of NOAA's Administrator and Assistant Administrator, and the NOAA Administrator will remain the lead official in the Department in this regard. In the unlikely event that a matter involving a vessel associated with Diamond S. Shipping Group should arise, I assure you that I will recuse myself in accordance with the commitments that I made in my ethics agreement. Further, I will at all times rely on the monitoring and judgment of the Department's ethics officials to ensure that I do not participate in any matter about which they advise me that a conflict of interest would arise.

If there is another unfortunate event of the magnitude of the *Exxon Valdez* or *Deepwater Horizon* disasters, then there may well be a need for leadership and support of NOAA's efforts at the Secretarial level. In such a case, and only with the agreement of the Department's ethics officials, it would be my duty as Secretary to provide the public and the President the benefit of my experience to supplement that of the NOAA Administrator.

Question 32. I am also concerned about other Department of Commerce activities regarding shipping—

- NOAA maps and monitoring anthropogenic sound impacts on the marine environment—including shipping noise. Shipping noise has had a negative impact on endangered Southern resident orcas in Puget Sound and the Salish Sea. Will you recuse yourself from anthropogenic sound research, funding for research, risk assessments and related endangered species act consultations?
- As that shipping noise has an impact on Southern resident orcas, will you recuse yourself from all activities related to Southern resident orca conservation, research, and critical habitat determinations and consultations?
- Will you recuse yourself from ballast water policy, research, treatment technology evaluations and invasive species introduction risk assessments and consultations?

Answer. I share your concern for the marine environment and recognize the many different and complex interactions that can have impacts on the health of the marine ecosystem. Invasive species transported by ballast water and noise in the marine environment are two significant examples of how activities vital to our Nation's well-being—for example maritime commerce and national defense—can have unintended impacts on the marine environment. NOAA plays a crucial role in researching and understanding these impacts, and in recommending and implementing strategies to address or mitigate them. I fully support the work NOAA and other agencies of the Department do in this regard.

The recusal you request above goes well beyond the scope required by law and my ethics agreement and would hinder the performance of my duties to the public and the President should I be confirmed as Secretary of Commerce. If confirmed, I will faithfully execute the law and the commitments in my ethics agreement, and will follow the advice of the Department's ethics officials with respect to any matter about which they advise me that a conflict of interest would arise.

Question 33. You are founder and former Chairman of the International Coal Group, a subsidiary of Arch Coal. Arch Coal was a partner in the proposed Longview coal export terminal until May 2016, when it gave up its 38 percent share to Lighthouse Resources, the project's last remaining supporter. This move came after Arch filed for bankruptcy in January 2016. After receiving a $275 million bankruptcy loan, Arch announced that it would continue its operations, despite laying off hundreds of miners. In October 2016 the company announced its intent to submit a bankruptcy exit strategy in early 2017.

As Secretary of Commerce, you would be responsible for overseeing departments that play a major role in protecting waterways from coal pollution.

Will you recuse yourself from research, analysis, policy and budget recommendations regarding the impact of coal dust to marine habitats in Washington and the United States?

Do you believe in Climate Change and that humans are part of the problem? Or do you believe it is a "hoax" like President-Elect Trump?

Please describe the role of the Department of Commerce in combatting climate change?

I am very concerned about the impact of ocean acidification to marine resources. In Washington state ocean acidification is a jobs issue. The shellfish industry supports thousands of jobs in Washington, and shellfish are dying because their shells are dissolving. Furthermore, ocean acidification impacts species up the food chain, including salmon-which also support thousands of jobs and billions in economic activity. Mr. Ross, as someone with a history operating coal companies which contributed to climate change, how will you work to support ALL jobs, including the jobs impacted by burning coal in my state?

Answer. To be clear, Arch Coal acquired International Coal Group in 2011. I have never had a position with Arch Coal.

I share your concern for protection of all marine environments, and for the economic benefits that accrue from healthy waterways. The work of NOAA in support of these goals is one of the vital missions of the Department. While I expect the NOAA Administrator to exercise primary policy and administrative oversight of these responsibilities, I will lead the Department and participate in decisions as necessary and appropriate. If confirmed, I will faithfully execute the law and the commitments in my ethics agreement, and will follow the advice of the Department's ethics officials with respect to any matter about which they advise me that a conflict of interest would arise.

Question 34. NOAA currently operates and maintains a fleet of 16 ships with a goal of providing 235 days at sea per ship, annually. These vessels provide ocean observation data and support crucial species stock assessments which are critical for the health and economic vitality of our Nation's fisheries. Currently, 8 ships in the fleet will either meet or exceed design service life by 2028.

If confirmed, how would you avoid a gap in NOAA Corps fleet capabilities to ensure timely and fiscally responsible recapitalization of the NOAA Corps fleet?

Answer. I support modernization of NOAA's fleet. If confirmed I look forward to being briefed fully on NOAA's current plans and working with you and other members of the Committee to avoid the gap you describe.

Question 35. The West Coast of the United States is a risk from a near-field tsunami, generated from the 800 mile long Cascadia subduction zone located off the coasts of Washington, Oregon and Northern California. Due to the close proximity of the fault, small warning windows, the magnitude of previous earthquakes resulting from the fault, and growing populations in the tsunami zone, this could be a devastating national emergency with a potential loss of life of over 14,000 Americans. More than 7,000 highway bridges and 16,000 miles of roadway are expected to suffer moderate to severe damage, including all routes to the Pacific Coast and Washington's major east-west corridors and ports. The four-day Cascadia Rising exercise carried out in Pacific Northwest in June revealed a grossly inadequate plan and lack of resources available to sufficiently address the Cascadia scenario.

As Secretary of Commerce you will be responsible for all tsunami forecasting, monitoring, warnings, and research.

Is investing the Department of Commerce's time and resources to expand and enhance the country's tsunami preparedness a priority for you?

If confirmed, what steps and actions will you take within your authority to improve and ensure the best available technology is used to protect the tens of thousands of people who will be impacted by a Cascadia Rising tsunami event?

I am particularly concerned about the Coast Guard members, and their families, stationed in the Cascadia inundation zone. I have been working with the Pacific Marine Environmental Laboratory to improve data available to the Coast Guard for contingency planning needed to assist the Coast Guard in preparing for a tsunami event. If confirmed, will you support continuing the relationship between Coast Guard District 13 and the Pacific Marine Environmental Laboratory? What other suggestions do you have to improve data availability and coordination to the Coast Guard?

Answer. I support utilizing every cost-effective means at the Department's disposal to improve the accuracy and usefulness of NOAA's weather and oceanic data in order to protect life and property. Tsunami warnings are important to protect people in coastal areas prone to such events, and if confirmed I look forward to learning more about the Department's tsunami warning systems and working with Congress to address the needs of affected coastal areas.

Question 36. Aluminum had been very important to my state for many years. However, unfair trade practices have driven ALCOA to close smelters and eliminate jobs in Washington state and around the country. In 2015, aluminum smelting and fabricating was prioritized, along with steel, in bilateral negotiations, including the Strategic & Economic Dialogue (S&ED) and the Joint Committee on Commerce and Trade (JCCT).

In order to level the playing field and bring back American jobs for manufacturing sectors that have been adversely affected by pervasive overcapacity such as aluminum and steel, what policies will this administration put forward?

What is the new Administration's plan to address overcapacity in bilateral engagements with China?

The USTR announced that it is filing a consultation request at the WTO regarding subsidies for Chinese aluminum smelters.

What role to you anticipate the Department of Commerce to have in that and similar cases addressing pervasive overcapacity of Chinese production in the future?

Answer. As long as the Chinese have massive overcapacity they will continue to dump. State-owned enterprises are not required to make a profit because state owned banks continue to prop them up. This sort of behavior is part of the proof that China is not a market economy. If confirmed, I will seek to implement faster and more certain enforcement, ensure collection of duties that are imposed, and will include a discussion of the State-owned enterprise problem in all future trade negotiations with the aim of presenting a common front against this problem.

Question 37. How would you anticipate the Department of Commerce strengthening trade enforcement activities, particularly in cases where foreign producers are using innovative but questionable trade practices including transshipment, intentional product misclassification, and other tools of circumvention, to avoid U.S. tariffs and AD/CVD orders—as is the case for aluminum metal and for specific aluminum products?

How will the U.S. Department of Commerce foster and protect high growth, innovative U.S. manufacturing sectors such aluminum?

Answer. If confirmed, I intend to address transshipment, misclassification and other questionable trade practices as part of all future trade agreements. By addressing these and other issues in fair and balanced trade agreements we create an environment in which innovative businesses can thrive and provide high quality jobs here in the United States.

Question 38. The U.S. Department of Commerce works closely with other U.S. Government agencies to promote U.S. exports. One of those agencies is the U.S. Export-Import Bank (EXIM Bank). However, EXIM Bank does not have a quorum on its Board of Directors and it is currently unable to support deals over $10 million. In 2014, the Bank authorized more than $20 billion in export financing and supported almost 165,000 American jobs. However, last year, because it did not have a quorum, it was only able to do a fraction—authorizing $5 billion in financing and supporting 52,000 jobs. The Bank has been without a quorum despite having broad bipartisan support in both chambers as demonstrated when it was reauthorized by a supermajority in 2015.

Given the Bank's ability to reduce risk and help American manufacturers stay globally competitive, do you agree that the Export-Import Bank should be fully operational?

Do you agree that a working quorum is needed as soon as possible for American job growth?

Answer. I agree that some form of financing is needed to provide a level playing field for American companies to export their products overseas. This is particularly the case for small and medium size companies who lack the resources and expertise available to larger companies. Whatever mechanism Congress chooses to use needs to be able to make decisions and award financing in order to be effective in support American companies seeking to export overseas.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO WILBUR L. ROSS, JR.

Question 1. As Co-Chair of the Senate Broadband Caucus, I believe that expanding access to broadband is the infrastructure challenge of our generation. I have worked on "dig once" policies to coordinate highway construction and installation of broadband infrastructure and streamline regulations to promote broadband deployment. I understand you have experience with broadband deployment, including installing conduit to minimize repeated excavations, a key "dig once" principle.

Given the leadership the Department of Commerce has shown on broadband issues, will you work with me to strengthen broadband deployment policies throughout the Federal Government including ensuring that any infrastructure investment efforts include "dig once" principles?

Answer. I believe in the "dig once" principle and look forward to working with Congress to implement policies that promote broadband deployment in the most expeditious and cost effective manner possible.

Question 2. The Broadband Opportunity Council was formed to coordinate efforts across the Federal Government to support and streamline broadband deployment. Twenty five Federal agencies and departments are members and it is co-chaired by the Department of Commerce and Department of Agriculture. In September 2015, the Council issued a report with its recommendations, which incorporated several of the comments I had submitted. Since the report was released some of the recommendations have been implemented, but there is still much work to be done.

If confirmed, will you continue to work with agencies and departments across the Federal Government to promote broadband deployment, including by working to implement the outstanding recommendations from the Broadband Opportunity Council?

Answer. Yes, I support broadband deployment as an important asset needed to promote jobs and facilitate advanced manufacturing and technology innovation. I look forward to being briefed on the Department's broadband efforts to date and working to maximize the effectiveness of the Department's programs in this regard.

Question 3. In 2010 my bill, the Export Promotion Act, was signed into law to improve export assistance for small and medium-sized businesses. Since then, the U.S. Foreign and Commercial service has been doing excellent work in Minnesota to help these businesses find export markets they could never locate by themselves. I have also been an advocate of making our foreign embassies more outward facing with a greater focus on discovering opportunities for U.S. businesses. Do you agree that the Department of Commerce including the U.S. Foreign and Commercial Service have an important role to play in promoting exports?

Answer. Yes. One objective of the President is to increase exports by U.S. companies, and the USFCS provides assistance to small and medium size U.S. businesses that otherwise would face significant barriers to entry in foreign markets due to lack of access to local knowledge and assistance understanding foreign government practices and regulations.

Question 4. The 2006 Softwood Lumber Agreement expired in 2015 and the one-year extension of the agreement expired October 2016. I was active in urging the Obama administration to ensure that any negotiated solution provides a long-term solution that adequately addresses Canadian timber policies and subsidies. In July President Obama and Prime Minister Trudeau made a commitment to seek an agreement that maintains Canadian exports "at or below an agreed market share." That commitment is vital because without an effective agreement to cap Canada's market share, Canadian subsidies will allow Canada to continue to gain a larger market share, displacing and harming U.S. manufacturers and mill workers. What are your views on the softwood lumber issue and how do you plan to work with the USTR to ensure that U.S. manufacturers and mill workers are protected?

Answer. Because the Canadian softwood lumber industry continues to receive stumpage subsidies, the United States should take action to address that unfair trade practice.

Question 5. As a former prosecutor and co-chair of the Next Generation 911 Caucus in the Senate I know how important it is for our public safety community to be able to communicate during times of crisis. FirstNet—the new national public safety broadband network—will be an important tool for first responders in the field. As it is being implemented it is critical that states have a seat at the table and a chance to give meaningful input. In Minnesota this consultation process has gone well and I hope other states have the same chance to provide feedback. Do you agree that FirstNet should continue to work closely with state officials to make the new network a success?

Answer. Yes. If confirmed, I look forward to being briefed on FirstNet and its deployment strategy. As I currently understand it, maximizing state participation is important in order to minimize the cost to each participant of using the network.

Question 6. The Department of Commerce and the Economics and Statistics Administration provide crucial up-to-date information about the social and economic needs of communities. Both the 2020 Census and American Community Survey are important sources of this information. Still, most people aren't aware that business leaders heavily rely on this data.

Will you continue to strengthen and promote the use of economic statistics provided by the Department of Commerce and are you committed to ensuring the Census Bureau has the resources it needs to conduct an accurate and efficient census in 2020?

Answer. Yes. I understand the importance of conducting a full, fair and accurate Census in 2020, and look forward to working with the Census Bureau to accomplish that result. Throughout my business career, I have been a consumer of information provided by different bureaus of the Department of Commerce, and view the contin-

ued provision of information to the public by the Department as an important national resource.

Question 7. Chinese officials have pushed for the United States to designate China as a market economy. Treating China as a market economy would allow China to bypass antidumping laws by manipulating prices to avoid dumping tariffs. In December President Obama announced the U.S. would not change China's status as a non-market economy. What is your position on granting China market economy status? How will you work with U.S. allies like the EU and Canada to support the U.S. position on China's market economy status at the World Trade Organization?

Answer. I do not believe China is a market economy. As long as the Chinese have massive overcapacity they will continue to dump. State-owned enterprises are not required to make a profit because state owned banks continue to prop them up. This sort of behavior is part of the proof that China is not a market economy.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICHARD BLUMENTHAL TO WILBUR L. ROSS, JR.

Question 1. Cybersecurity is a vital element of our national security and it is essential that there are protections in place to protect our nation, businesses, and critical infrastructure from sabotage and espionage. Last week, the National Institute of Standards and Technology (NIST) issued a draft update for its Cybersecurity Framework. This updated draft provides new details on managing cyber supply chain risks, clarifies key terms, and new measurement methods for cybersecurity. One concern often expressed about the Cybersecurity Framework is that its use in the industry is voluntary.

If confirmed, what will you do to increase adoption of the Cybersecurity Framework and ensure that our trade secrets and critical infrastructure are adequately protected?

Answer. Cybersecurity is a huge and immediate problem. Strengthening our cybersecurity is critical to U.S. trade and national security. If confirmed, I will work proactively through NIST and with our interagency and industry partners to address the cybersecurity and privacy challenges that our Nation currently faces and will regularly review the Department's efforts to ensure that markets remain open to U.S. innovators.

Question 2. Do you agree with the designation of our election infrastructure as critical infrastructure? Will you commit to working with the Secretary of Homeland Security to ensure robust protection?

Answer. If confirmed, I look forward to working with the Department of Homeland Security on a range of issues important to our trade and national security, including robust enforcement of our trade laws and effective responses to cybersecurity threats.

Question 3. The Help America Vote Act and the Military and Overseas Voter Empowerment Act require NIST to work with the Election Assistance Commission to research and develop standards to help uphold voting rights—a bedrock of our Constitution. Can you assure me that you will do everything you can to ensure these laws are fully implemented?

Answer. If confirmed, I look forward to being fully briefed on this issue and will work with NIST to effectively implement its statutory obligations.

Question 4. Several reports in the past decade have shown that many of the forensic science practices relied upon in investigations and prosecutions lack foundational validity and require significant further research. In hundreds of recent exonerations, faulty forensics contributed to the wrongful convictions in almost half of these cases. NIST plays a crucial role in forensic science, particularly in conducting scientific research and developing science-based standards to ensure that any forensic science used in expert testimony is scientifically valid. It has organized hundreds of criminal justice stakeholders in a comprehensive effort to set standards for their use moving forward.

If confirmed, how would you set the research agenda for forensic science? What mechanisms would you use to gather input to inform this agenda?

Answer. If confirmed, I look forward to being briefed on what NIST has done to date to improve forensic science and will carefully evaluate those efforts.

Question 5. If confirmed, will you continue to work with Members of this Committee and the Judiciary Committee to ensure that law enforcement and criminal justice stakeholders—such as judges, attorneys, and fact-finders—have the strongest and most accurate forensic tools possible to ensure that crimes are correctly solved, public safety is protected, and wrongful convictions are avoided?

Answer. I agree that accurate and reliable forensics are an important tool in our criminal justice system, and look forward to working with Congress on this important issue.

Question 6. I believe forensic science disciplines have a lot of promise to be an economic generator and jobs creator. America has led the way in standardizing the use of DNA in criminal proceedings; the scientific and technological advances upon which this work is based have also resulted in significant economic growth.

If confirmed, will you commit to supporting this work at NIST, including ensuring sufficient resources are available to continue this work?

Answer. NIST is instrumental to many important research and standards setting efforts, including this one. If confirmed, I will carefully evaluate NIST's priorities and will do my best to ensure that the available funding is used to maximum effect.

Question 7. As you may know, NIST and the Department of Justice are party to an MOU that establishes a National Commission of Forensic Science, which formulates recommendations on matters such as accreditation requirements for forensic science service providers. The Commission's work has not been completed and I am interested in seeing that work continue.

Will you direct the incoming director of NIST to renew the MOU and continue to fully support the Commission until its work is completed?

Answer. If confirmed, I look forward to being fully briefed on the Memorandum of Understanding and the National Commission on Forensic Science. As stated above, I agree that accurate and reliable forensics is an important tool in our criminal justice system, and I will do my best to ensure that available funding for NIST is used to maximum effect.

Question 8. Do you agree that establishing scientific underpinnings to forensic science is absolutely vital to ensuring the integrity of our criminal justice system? If confirmed, how would you work with the Department of Justice and broader criminal justice community to ensure that research results are incorporated into practice?

Answer. If confirmed, I will work cooperatively with the Department of Justice to maximize NIST's ability to disseminate its research aimed at improving the Nation's forensic science capabilities.

Question 9. The Department of Commerce plays an important role in leading research and setting guidelines on the use of facial recognition technology. For example, NIST has announced it will begin a new evaluation of facial recognition technologies starting in February 2017, to better understand performance accuracy. As you may know, a recent study found that some face recognition algorithms have been shown to misidentify African-Americans, women, and young people at higher rates compared to whites, men, and older individuals, respectively. Such inaccuracies raise the risk that, absent appropriate safeguards, innocent African Americans and others may mistakenly be placed on a suspect list or investigated for a crime solely because of a flawed algorithm.

If confirmed, do you commit to ensuring that NIST's facial recognition evaluation includes regular examination of whether facial recognition systems demonstrate racial bias?

Answer. I support development and implementation of new technologies that are mission appropriate, cost effective and produce accurate, reliable results. I have not yet been briefed on NIST's facial recognition programs or the evaluation protocols being used. If confirmed I will endeavor to ensure NIST provides Congress and the public with the information needed to evaluate the usefulness of any new technology for its proposed public purpose.

Question 10. If confirmed, do you commit to ensuring that NIST's facial recognition evaluation includes thorough analysis of real-time face recognition systems?

Answer. If confirmed I will endeavor to ensure NIST provides Congress and the public with the information needed to evaluate the usefulness of any new technology for its proposed public purpose.

Question 11. If confirmed, do you commit to make publicly available NIST's findings on the performance of facial recognition technologies on an ongoing and regular basis, and cooperating with law enforcement and other entities so that they are aware of any findings?

Answer. I support public release of accurate scientific data and cooperation with law enforcement.

Question 12. As I understand, when China joined the World Trade Organization, it agreed to open its market to foreign electronic payment companies, many of which are based in the U.S., no later than December 11, 2006. China failed to do so. In 2012, a WTO panel ruled that China has discriminated against U.S. card companies

and must allow foreign electronic payment companies to process domestic transactions in China. Now, 10 years after China was supposed to open its market, and five years after the WTO decision, not a single U.S. company has been allowed to process domestic transactions in China. USTR has stated in its 2016 report to Congress on China's WTO Compliance that "China has not yet taken needed steps to authorize access by foreign suppliers to this market." It is important for American companies to compete and operate internationally.

If confirmed, what will you do to ensure that China's lives up to its WTO commitments in this area?

Answer. The basic premise behind the U.S. Government's support of China's accession to the WTO was that China would play by the rules. That premise was incorrect. Stronger enforcement is the key to obtaining compliance.

Question 13. As Secretary of Commerce, you would be in charge of a number of Bureaus that are chiefly scientific and research organizations.

How would you foster a culture of scientific transparency and accountability, and protect scientists and engineers from political interference in their work?

Answer. Science should be done by scientists. I support the release of factual scientific data.

Question 14. American businesses that hope to reach consumers around the globe depend on access to markets. Increasingly, businesses reach consumers online. However, there are threats to these open markets, and the continued growth of and access to the digital economy is not guaranteed.

To promote American business' access to consumers, what role should the Department of Commerce play in supporting and strengthening the digital economy by advocating for the free and open internet?

Answer. Most of our existing trade agreements were negotiated and agreed to before the advent of the Internet. Our future trade agreements need to address the importance of the Internet to global commerce and ensure that the core attributes of the Internet's success remain intact.

Question 15. Do you agree that a free and open Internet is also critical for businesses reaching consumers here in the U.S.?

Answer. The United States must ensure continued trust in the privacy and security of the Internet, which is necessary to facilitate the continued free flow of information around the world. American businesses in the digital space, both large and small, depend on an online digital ecosystem that has the confidence of potential users and customers. That is why, if confirmed, I will ensure the Department of Commerce is at the table in all policy discussions related to practices that may affect digital data flows.

Question 16. As you noted in your testimony, you have unique experience working to implement the Census early in your career. The responsibility for carrying out the Census falls under the Department of Commerce. This process is as old as the republic and is mandated under Article I, Section 2 of the Constitution. The data that results from conducting the Census has immense implications and is used to calculate the number of seats that each state has in the House of Representatives and helps to allocate critical funding for new roads, hospitals, schools, emergency services, and many other essential services in all of our communities.

Given the Census' nationwide implications, having an accurate count of the U.S. population is paramount. Do you agree? How will you ensure that the Census remains free of political influence?

Answer. If confirmed, I look forward to working with the Census Bureau and all stakeholders to ensure a full, fair and accurate count in Census 2020.

Question 17. In your testimony, you state that expanding exports will be one of the top challenges facing the Department of Commerce. Connecticut has many aerospace manufacturers, and one entity we strongly support is the Export-Import Bank. Although the Export-Import Bank is often portrayed as helping only large corporations, we have many small businesses in Connecticut that are crucial parts of the supply chain for these larger companies and their products—manufacturing the components of the planes, helicopters, and satellites that companies like General Electric and UTC sell overseas.

The bank falls outside the Department—which has many trade-related responsibilities—but still the bank is critical to my state in advancing a goal we both agree should be a priority: increasing the export of American products. The President-elect has said in regards to the Export-Import Bank "when you think about free enterprise, it's really not free enterprise. I'd be against it." But the Vice President-elect has voted to reauthorize the bank in the past. In your initial answers to this committee, you said "you support the concept."

Would you agree that the Export-Import Bank provides an important source of support for many small manufacturers?

Answer. I agree that some form of financing is needed to provide a level playing field for American companies to export their products overseas. This is particularly the case for small and medium size companies who lack the resources and expertise available to larger companies. Whatever mechanism Congress chooses to use, it needs to make decisions and award financing in order to be effective in support of American companies seeking to export overseas.

Question 18. Will the incoming administration work to ensure that the Export-Import Bank has the resources it needs to continue its support for small manufacturers?

Answer. I favor every tool that can increase effectively the present trivial percentage of businesses that export anything.

Question 19. How will you ensure that the Administration's trade policies protect not just large exporters but smaller manufacturers as well?

Answer. Over the course of my career I have worked with both large and small manufacturers, and am very familiar with the problems small manufacturers face. Small businesses account for a significant amount of innovation and job creation, so it is important to the President's objectives that our trade policies establish an environment in which both large and small enterprises flourish.

Question 20. In section C(3) of the Committee's questionnaire, you were asked the following: "Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain." Your response listed eight proceedings and noted "I have been associated with a number of corporations and other entities and, from time to time, such entities (including, in some instance, their directors, officers and employees) in the ordinary course, have been involved in judicial or regulatory proceedings relating to their businesses."

Please list and describe these judicial and regulatory proceedings, including any resolution.

Answer.

- ***Moncavage v. Faris et al.,*** *No. 9:14–cv–81378 (S.D. Fla.):*
  This complaint was never served and was voluntarily dismissed without prejudice 6 days after it was filed.
- ***In re: International Textile Group Merger Litigation, C.A. No. 2009–CP–23–3346*** **(**Related Action: *Menezes v. WL Ross & Co.,* 403 S.C. 522, 744 S.E.2d 178(2013)):
  I was named as an individual defendant. The case settled.
- ***Saratoga Advantage Trust v. ICG, Inc. et al.,*** *No. 2:08–cv–00011 (S.D. W.Va.):*
  I was named as individual defendant. The case settled.
- ***City of Ann Arbor Employees' Retirement System v. ICG, Inc.,*** *2008 WL 4509356 (S.D. W.Va.):*
  I was named as individual defendant. The case was dismissed.
- ***Giles v. ICG, Inc. et al.,*** *No. 3:11–cv–00330 (S.D. W.Va.):*
  I was named among various individual defendants. The case settled. This case was related to *Kramer v. Ross, et al.,* Court of Chancery of Delaware 6470–VC, which is listed in Attachment Six of the questionnaire response. Another related action was *Isakov v. International Coal Group, Inc., et al.,* Court of Chancery of Delaware 6505–VCP.
- ***In re Mego Financial Corp. Securities Litig.,*** *213 F.3d 454 (9th Cir. 2000):*
  As I had been an outside director of Mego (the target defendant), I was named as an individual defendant. The case settled.
- ***Weiss v. Sunasco Incorporated,*** *295 F. Supp. 824 (S.D.N.Y. 1969):*
  As I was an outside director of Sunasco (the target defendant), I was originally named as an individual defendant. I was later dropped from the complaint.
- ***In the Matter of WL Ross & Co. LLC*** *(August 24, 2016):*
  This was an SEC administrative proceeding. I was not individually named.
- ***Parker v. AHMSI Insurance Agency Inc. d/b/a Belt Line Insurance Agency,*** *No. 1:15–cv–23840 (S.D. Fla.):*
  This case is currently pending in SD Fla., with several funds named as defendants: WL Ross & Co., LLC, WLR AHM Co-Invest, L.P., WLR IV Parallel ESC, L.P., WLR Recovery Fund III, L.P., WLR/GS Master Co-Investment, L.P., WLR Recovery Fund II, L.P. I am not individually named.

- Related Action: *Nungester, et al., v. AHMSI Insurance Agency Inc. d/b/a Belt Line Insurance Agency, No. 14–cv–7338 (S.D.N.Y.):*
  This case was dismissed before any fund defendants entered an appearance. I was not individually named.

- ***DIGJAM Limited v. WL Ross & Co. LLC,*** *09–cv–01607 (S.D.N.Y.):*
  This case was dismissed. I was not individually named as a defendant.
- ***Perez v. WL Ross & Co. LLC,*** *No. 08–cv–00243 (N.D. Ill.).:*
  This case was dismissed after initial status conference on Plaintiff's own motion. WL Ross & Co. LLC was named as a defendant, but I was not individually named.
- ***Levchenko et al v. MERS et al,*** *1:10–cv–01804–NGG–LB (E.D.N.Y.):*
  WL Ross & Co. was named as a defendant, but I was not individually named. WL Ross & Co was never a party because the case was dismissed for failure to complete service.
- ***Weinstein v. American Residential Funding, Inc. et al.,*** *2:10–cv–00487–PMP–PAL (D. Nev.):*
  WL Ross & Co. was named as a defendant in this case, but I was not individually named. The case was dismissed with prejudice.
- ***Mullin v. WL Ross & Co. LLC,*** *1:16–cv–10060–RJS (Dec. 30, 2016 S.D.N.Y.):*
  WL Ross & Co. is named as a defendant in this pending case. The complaint alleges breach of contract and fiduciary duty claims. An initial conference has been set for February 24.
- ***Sokolowski et al v. Erbey,*** *9:14–cv–81601–LSS (S.D. Fla.):*
  Plaintiffs' motion to approve settlement in this securities case is pending, and a hearing on the motion was held on January 18. WL Ross & Co. is named as a defendant. I was also individually named.
- ***Hutt v. Erbey et al.,*** *9:15–cv–80392–RLR (S.D. Fla):*
  I was named as a defendant in this shareholder derivative suit against Ocwen Financial. The case was voluntarily dismissed by the plaintiff. It had previously been filed in the Northern District of Georgia (1:15-cv-00891–WSD) and transferred.
- ***Spreitzer et al v. Michitsch,*** *2:11–mc–00008–WFD (D. Wyo.):*
  This *pro se* case named myself and WL Ross & Co. as defendants. It was dismissed shortly after it was filed for failure to show cause.
- ***Bowen v. Farris,*** *1:16–cv–00799–TCB (N.D. Ga.):*
  This case filed by a *pro se* plaintiff against Ocwen Financial named me as a defendant. It was voluntarily dismissed by the plaintiff.
- ***Sparks, et al v. Ross, et al,*** *1:02–cv–00045–IMK (N.D. W.Va.):*
  This ERISA case focused on Anker Coal Group, Anker Group, Inc., SIMBA Group, Inc., and Anker Energy Corporation. I was named as a defendant individually because of my involvement with these companies. The case settled.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO WILBUR L. ROSS, JR.

Question 1. If confirmed, you will likely play a leading role in formulating U.S. trade policy. During your tenure, we may revisit existing trade agreements and rethink the U.S. model agreement.

A top priority should be reexamining our negotiating objectives in the Trans Pacific Partnership (TPP). When TPP was being negotiated, I was told that it would be the gold standard for environmental, health and safety, and labor standards. But when I read the final agreement closely, I was extremely disappointed. The commitments in TPP were basically just strongly worded suggestions with very few requirements.

I was encouraged to hear that you have called for more "stringent environmental and health and safety standards" in trade agreements.

What is your view of TPP's environmental, public health, and labor commitments?

What should these commitments in U.S. trade agreements look like going forward?

Answer. As you will recall from our meeting, I believe the long-term objective should be to bring other countries up to our labor, environmental and health standards. The absence of reciprocal standards creates a competitive advantage for the country with the lower standards. In the future trade agreements should include reciprocal commitments in this regard and the necessary mechanisms to see that any commitments are enforced.

Question 2. Another area I believe we need to revisit in our trade agreements is the inclusion of investor state dispute settlement (ISDS).

ISDS provides a special forum outside of our well-established court system that is just for foreign investors. It is not open to domestic businesses, labor unions, civil society groups, or individuals that allege a violation of a trade agreement obligation.

Foreign investors are given the right to sue governments over laws and regulations that impact their businesses. While the investors are only entitled to monetary damages, we have seen how ISDS can be used to extract changes in policy. In effect, ISDS gives foreign investors final say over laws and regulations meant to improve and protect the lives of Americans.

What are your views on the inclusion of investor state dispute settlement in trade agreements?

Answer. As you will recall from our meeting, I believe the long-term objective should be to bring other countries up toward our labor, environmental and health standards. To do that we need to review carefully any dispute resolution mechanisms in future trade agreements to ensure that they do not create an opportunity for countries to use non-tariff trade barriers and dispute settlements to create a competitive advantage for their products.

Question 3. When we talk about increasing America's exports, we should also aim to increase travel, which is our Nation's number one service export. In 2015, 77.5 million international travelers visited the U.S., spending $246.2 billion across the country.

In Hawaii, travel and tourism is a major driver of our economy. These industries make up 20 percent of our economy and provide the state's second largest source of jobs.

Because of the economic importance of travel, the Commerce Department developed a National Travel and Tourism Strategy in 2012. A primary goal of the strategy is to attract 100 million international visitors to the United States by 2021. Unfortunately, we are 22.5 million short of meeting this goal.

What would you do to help the U.S. meet our visitor goal and, more generally, to increase international visitation to the U.S.?

Answer. If confirmed, I look forward to being fully briefed on the Department's efforts in this regard, and will work with you and other interested Members of Congress on this important issue. While there may be many ways we can advance the goal of promoting tourism, certainly efforts to increase the foreign exchange rate will assist in both increasing demand for U.S. exports and making the United States a more attractive travel destination, both of which help create more jobs in the United States.

Question 4. At your hearing, I highlighted the important role of the Department of Commerce in convening other agencies for the purpose of developing U.S. tourism policy. Without the Department's leadership, it would be difficult to continue the productive cross-agency collaboration we saw during your predecessor's tenure. The Department has accomplished this through its active role on the interagency Tourism Policy Council and its National Travel and Tourism Office.

In your response to my question about continuing the Department's role as convener, you mentioned your willingness to work with Elaine Chao should she be confirmed as secretary of the Department of Transportation. I wanted to follow up on your answer to ask about your commitment more broadly to interagency collaboration on tourism policy.

Would you commit to continuing the Department's leadership in convening the relevant agencies to advance the U.S.'s travel and tourism policy?

Answer. Advancing travel and tourism to the United States helps promote jobs and foreign investment in the United States. If confirmed, I look forward to being fully briefed on the Department's efforts in this regard, and will work with you and other interested Members of Congress on this important issue.

Question 5. Cross-border data flows between the U.S. and Europe are the highest in the world. This movement of data is critical to students, families, businesses and promotes employment, free speech, innovation, and cultural expression.

In 2015, the European Court of Justice invalidated a core agreement that governed the transfer of data between the EU and U.S. Fortunately, the Department of Commerce and their European counterparts successfully negotiated the EU-U.S. Privacy Shield Framework to provide companies on both sides of the Atlantic with a mechanism to comply with EU data protection requirements. The framework supports transatlantic commerce, while safeguarding individual's privacy. The Privacy Shield has seen great success so far. Nearly 1,400 U.S. organizations—big and small—have certified their compliance with the framework.

The framework is up for its annual review later this year and is currently being challenged in the EU courts.

How will you ensure the Department of Commerce conducts an effective first review of the program in 2017 with European counterparts so the program can continue to operate smoothly for the benefit of all Americans?

Answer. If confirmed, as Secretary of Commerce I will be responsible for promoting the foreign and domestic commerce of the United States. I will do my best to do so in all areas, including with respect to digital trade and data privacy. I will work with the appropriate agencies of government to ensure an effective review in accordance with our commitments under the Privacy Shield Framework. Should the European courts find any essential part of the Privacy Shield is contrary to law, the Department will once again lead efforts to find a solution.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. EDWARD MARKEY TO WILBUR L. ROSS, JR.

Question 1. Many important technologies and applications rely on unlicensed spectrum, which is typically used for Wi-Fi connectivity. How will you ensure that the Federal Government makes spectrum available for unlicensed uses?

Answer. Unlicensed use of spectrum has been an engine of innovation and economic activity. This will continue as devices and applications for the Internet of Things proliferate. If confirmed, I will ensure NTIA continues to make spectrum available in a manner that advances innovation and economic prosperity as well as meeting the long term needs of the United States.

Question 2. In order to meet our Nation's spectrum needs, we should share and more efficiently use spectrum. If confirmed, how will you promote research and deployment of technologies to share and more efficiently use spectrum?

Answer. I support the efficient use of spectrum and look forward, if confirmed, to working with NIST and NTIA to enhance the Department's efforts in this regard.

Question 3. Please list any deductible or nondeductible charitable donations you made in the last three years, including, for each contribution, the name of the recipient and the amount.

Answer.

1/02/2016	#4008	$2,000.00	Brigham and Women's Hosp.
1/04/2016	#4009	$1,000.00	Glades Academy Fdn., Inc.
1/10/2016	#4010	$10,000.00	Autism Speaks
1/11/2016	#4012	$1,000.00	Boys' Club of New York
1/18/2016	#4014	$500.00	Fountain House
1/22/2016		$1,000.00	Palm Beach Zoo
1/23/2016	#4282	$5,000.00	Glades Academy Fdn., Inc.
2/06/2016	#4291	$20,000.00	Blenheim Foundation
2/08/2016	#4295	$2,000.00	Museum of the City of New York
2/08/2016	#4296	$750.00	Southampton Fresh Air Home
2/19/2016	#3818	$2,500.00	Society of the Four Arts
2/22/2016	#4309	$1,000.00	Open Future Institute
2/26/2016		$250.00	Fountain House
2/27/2016	#4310	$2,500.00	Prince of Wales Fdn.
2/27/2016	#4025	$4,000.00	Mem. Sloan Kettering Cancer Center
2/29/2016	#4026	$550.00	Central Park Conservancy
2/29/2016	#4027	$2,000.00	Lenox Hill Neighborhood House
3/20/2016	#4322	$2,500.00	SCO Family Dynamics
3/20/2016	#4323	$500.00	American Friends of the Louve
4/01/2016	#4223	$12,993.74	Duke Of Edinburgh Fdn.
4/04/2016	#4236	10,000.00	Duke of Edinburgh Fdn.
4/25/2016	#4246	$400.00	Kips Bay Boys and Girls Club
4/30/2016	#4249	$1,000.00	Carnegie Hall Society
4/30/2016	#4251	$2,500.00	PEN America
4/30/2016	#4252	$500.00	Madison Square Boys & Girls Club
4/30/2016	#4253	$2,000.00	Checkerboard Foundation,Inc.
5/15/2016		$3,050.00	Cancer Research Institute
5/15/2016		$15,000.00	Cancer Research Institute
6/05/2016	#4340	$2,000.00	Mem. Sloan Kettering Cancer Center
6/5/2016	#4341	$900.00	Southampton Fresh Air Home
7/28/2016		$1,000.00	CureFA Fdn.
8/19/2016	#4379	$5,000.00	Palm Beach Civic Association
8/19/2016	#4380	$500.00	St. Andrew's Dune Church
8/19/2016	#4381	$1,000.00	UCLA Medical Center Dept. of Neurosurgery
8/19/2016	#4382	$1,000.00	Hearst Castle Preservation Fdn..
8/19/2016	#4383	$5,000.00	Palm Beach Zoo
9/01/2016	#4414	$1,000.00	Hope for Depression Research Fdn.
9/12/2016	#4433	$25,000.00	Palm Beach Preservation Fdn.

9/23/2016		$10,000.00	Federation of Cypriot American Org
10/03/2016	#4491	$1,000.00	Animal Medical Center
10/10/2016		$5,000.00	God's Love We Deliver
10/14/2016	#4505	$1,000.00	Groton School
10/03/2016	#4492	$1,000.00	Palm Beach Zoo
10/03/2016	#4493	$2,500.00	NYSPCC
11/04/2016		$500.00	Peggy Adams' Animal Rescue League
11/27/2016	#4466	$75.00	Southampton Village Volunteer Ambulance
11/28/2016		$5,000.00	Brigham and Women's Hospital
12/19/2016		$12,000.00	Metropolitan Museum of Art

Question 4. During Mr. Trump's campaign, there were reports that even volunteers were required to sign non-disclosure agreements. After his election, President-elect Trump's team demanded lists of career officials who worked on climate science issues at the Energy Department and women's and gender issues at the State Department. Any suggestion that the incoming administration is targeting career officials for retaliation simply because they worked on policies that the new President disagrees with threatens to create a chilling effect on employees who are simply trying to do their jobs. It is against the law to retaliate against career officials for following lawful policy directives. It is also against the law to interfere with career employees communicating with Congress. I have included a summary of these laws below:

> 5 U.S.C. § 7211, provides that: The right of employees, individually or collectively, to petition Congress or a Member of Congress. or to furnish information to either House of Congress, or to a committee or Member thereof, may not be interfered with or denied. Pursuant to 5 U.S.C. § 2302(b)(8), it is a violation of Federal law to retaliate against whistleblowers. That law states: Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority . . . take or fail to take, or threaten to take or fail to take, a personnel action with respect to any employee or applicant for employment because of. . . . (A) any disclosure of information by an employee or applicant which the employee or applicant reasonably believes evidences—(i) a violation of any law, rule, or regulation, or (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, any disclosure to the Special Counsel, or to the Inspector General of an agency or another employee designated by the head of the agency to receive such disclosures, of information which the employee or applicant reasonably believes evidences a violation of any law, rule, or regulation . . .'' In addition, pursuant to 18 U.S.C. § 1505, it is against Federal law to interfere with a Congressional inquiry: Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress.

If you are confirmed, will you commit to protect the rights of all career employees of the Commerce Department, including their right to speak with Congress? Will you commit to communicate employees' whistleblower rights via e-mail to all Commerce Department employees within a week of being sworn in?

Answer. I will adhere to the law and contracts. If confirmed, I will also make sure that the employees of the Department know of their rights and protections under the Whistleblower law.

Question 5. The President-elect appears to be planning to ignore the advice he was given by bipartisan ethics experts to divest himself from his business interests. Do you commit to ensure that no employee of the Commerce Department is pressured to take—or not take—any regulatory or enforcement action because that decision would adversely impact business interests associated with the President-elect or his family? If not, why not? If yes, how will you know exactly what all of the Trump family interests are in the absence of the release of his tax returns?

Answer. If confirmed, I will work to ensure that I and all employees of the Department act with integrity and comply with all applicable laws.

Question 6. As our environmental intelligence agency, do you believe that the National Oceanic and Atmospheric Administration (NOAA) should look at both short-term and long-term changes in our environment? What do you see as NOAA and the National Weather Service's role in working with communities prior to a weather event?

Answer. Early and accurate weather forecasts and warnings, and hopefully increased coordination with emergency services as FirstNet is brought on line.

Question 7. Given the importance of data collection to NOAA's mission, will you continue to support NOAA efforts to increase and enhance observations of the atmosphere and ocean, including physical, chemical, and biological parameters? Specifically, how will you continue increase and enhance the atmosphere and ocean observing systems?

Answer. I will support NOAA's capital expenditure requests.

Question 8. Will you continue to use NOAA's existing scientific integrity policy?

Answer. The integrity of scientific examination and reporting on data is essential.

Question 9. Education is a key component to ensuring we have a solid future generation of Earth scientists. NOAA's education programs provide lesson plans for teachers and support professional development opportunity. They also provide opportunities to students including the Ernest F. Hollings Undergraduate Scholarship Program and the Sea Grant John A. Knauss Fellowship. What are your educational priorities for NOAA, and how do you see education for students and teachers in NOAA's mission and critical functions?

Answer. I believe that NOAA's educational initiatives are generally strong but, if confirmed, will encourage staff to develop even more outreach.

Question 10. What are your priorities for the National Oceanic and Atmospheric Administration (NOAA) Fisheries and specific plans for maintaining continued success?

Will you work with Congress to ensure that the Department of Commerce continues to allocate the appropriate personnel and resources to manage U.S. fisheries to the best extent possible?

What is your approach for using science to achieve healthy stock levels, support a robust fishing industry and inform fisheries management decisions?

Improving the data management system, including enhancing uniformity, standardization, and protocols will allow for a more responsive fisheries management process. What specific plans do you have to improve the collection and data management systems, given the current resources of NOAA Fisheries?

Answer. I share the Committee's commitment to sustainable fisheries as embodied in the Magnuson-Stevens Act. Good science on fish stocks and oceanic conditions is essential to meet the MSA's sustainable fishery goals. Collecting accurate information regarding directed fishing and bycatch is a critical component of effective fishery management. I am aware that stationing observers on smaller fishing vessels can be challenging. If confirmed I would support continuing to work with industry to find cost effective, accurate and timely methods for catch and bycatch reporting in order to improve fishery management.

Question 11. As Secretary of Commerce, what actions would you support to ensure that seafood brought to the market is legally caught and sustainable?

Answer. I strongly oppose illegal importation of anything. Ensuring that seafood brought to the U.S. market is legally caught and sustainable is very important. I understand that NOAA is working on several initiatives on this front. I look forward to working with you and the Committee to address these important issues.

Question 12. The Northeast published the first regional ocean plan, providing a framework for all the activities that occur within our ocean waters. This ground-up approach set out to better the cooperation from users and local governments to the state and Federal Government. Will you continue to support these regional plans?

Answer. I look forward to reviewing the plans and intend to continue NOAA's participation in these collaborative efforts.

Question 13. The National Weather Service is in negotiations with their employees' union for the first time in 15 years. Will you commit to allowing the process to continue as agreed upon already?

Answer. If confirmed, I will promptly undertake to understand the status of the labor negotiations.

Question 14. The National Ocean Service helps promote the swift and safe movement of vessels by providing important charting and mapping services. How will you ensure that our Nation's navigation charts and hydrography data are up to date and accessible?

Answer. I agree that mapping and charting is an important function of NOAA, and, if confirmed, I look forward to working with the Congress to address this important issue.

Question 15. The Commerce Committee questionnaire asked if "you or any business or nonprofit of which you are or were an officer [have] ever been involved as

a party in an administrative agency proceeding, criminal proceeding, or civil litigation." While you have identified eight lawsuits in which you were a party, you noted in your response that you could "also have been associated with a number of corporations and other entities and, from time to time, such entities (including, in some instances, their directors, officers and employees) have been involved, in the ordinary course, in judicial or regulatory proceedings relating to their businesses." Will you commit to recuse yourself without waiver and for the entirety of your tenure at the Department of Commerce from participating in any issue relating to a case in which you (or your company, or an organization with which you were affiliated) were a named party? If no, why not?

Answer. In the event that a matter involving an asset I still hold or a legal proceeding I was or am involved in should arise, I assure you that I will recuse myself in accordance with the commitments that I made in my ethics agreement. Further, I will at all times rely on the monitoring and judgment of the Department's ethics officials to ensure that I do not participate in any matter about which they advise me that a conflict of interest would arise.

Question 16. Were you or any business or nonprofit of which you are or were an officer involved as a party in any of the following cases? If yes, please a) explain why each such case was not included in the response to your questionnaire, and b) respond to the question of whether you will commit to recuse yourself without waiver and for the entirety of your tenure at the Department of Commerce from participating in any issue relating to each such case, and if no, why not?

Answer.

- ***Moncavage v. Faris et al.,*** *No. 9:14–cv–81378 (S.D. Fla.):*
  This complaint was never served and was voluntarily dismissed without prejudice 6 days after it was filed. I was named as a defendant, but was not a party because service was never completed.
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  I was named as an individual defendant. The case settled.
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  I was named as an individual defendant. The case was dismissed.
- ***Giles v. ICG, Inc. et al.,*** *No. 3:11–cv–00330 (S.D. W.Va.):*
  I was named among various individual defendants. The case settled. This case was related to *Kramer v. Ross, et al.,* Court of Chancery of Delaware 6470–VC, which is listed in Attachment Six of the questionnaire response. Another related action was *Isakov v. International Coal Group, Inc., et al.,* Court of Chancery of Delaware 6505–VCP.
- ***In re Mego Financial Corp. Securities Litig.,*** *213 F.3d 454 (9th Cir. 2000):*
  As I had been an outside director of Mego (the target defendant), I was named as an individual defendant. The case settled.
- ***Weiss v. Sunasco Incorporated,*** *295 F. Supp. 824 (S.D.N.Y. 1969):*
  As I was an outside director of Sunasco (the target defendant), I was originally named as an individual defendant. I was later dropped from the complaint.
- ***In the Matter of WL Ross & Co. LLC*** *(August 24, 2016):*
  This was an SEC administrative proceeding. I was not individually named.
- ***Parker v. AHMSI Insurance Agency Inc. d/b/a Belt Line Insurance Agency,*** *No. 1:15–cv–23840 (S.D. Fla.):*
  This case is currently pending in S.D. Fla., with several funds named as defendants: WL Ross & Co., LLC, WLR AHM Co-Invest, L.P., WLR IV Parallel ESC, L.P., WLR Recovery Fund III, L.P., WLR/GS Master Co-Investment, L.P., WLR Recovery Fund II, L.P. I am not individually named.
  - Related Action: *Nungester, et al., v. AHMSI Insurance Agency Inc. d/b/a Belt Line Insurance Agency, No. 14–cv–7338 (S.D.N.Y.):*
    This case was dismissed before any fund defendants entered an appearance. I was not individually named.
- ***DIGJAM Limited v. WL Ross & Co. LLC,*** *09–cv–01607 (S.D.N.Y.):*
  This case was dismissed on July 7, 2009. I was not individually named as a defendant.
- ***Perez v. WL Ross & Co. LLC,*** *No. 08–cv–00243 (N.D. Ill.).:*

This case was dismissed after initial status conference on Plaintiff's own motion. WL Ross & Co. LLC was named as a defendant, but I was not individually named.

Question 17. Will you support and advance on a timely basis the replacement of NOAA Fisheries' fleet of aging and outdated scientific research vessels to support the science necessary for effective management of the Nation's fisheries, especially given the changing ocean and climate systems?

Answer. I support NOAA's fleet renovation program.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. CORY BOOKER TO WILBUR L. ROSS, JR.

Question 1. Last year, the Department of Commerce sought comment on issues relating to the Internet of Things as part of the agency's Digital Economy Agenda to help inform decisions to foster growth of the Internet of Things. I've worked with a bipartisan group of colleagues on legislation that would create an Internet of Things working group led by the Secretary of Commerce to further expand this technology and enable government to keep pace with innovation. Do you plan to continue the Department of Commerce's support for innovative new technologies including the Internet of Things?

Answer. Yes. The NTIA and NIST both play direct roles in supporting innovative new technologies, including those that support the Internet of Things. If confirmed, I will work with NTIA to promote the availability of spectrum for broadband applications and new innovation, including the Internet of Things, while ensuring that the long-term needs of the United States continue to be met.

Question 2. Previous administrations have recognized the broad benefits the digital economy brings to the overall U.S. economy. The Internet sector alone makes up 6 percent of U.S. GDP and is responsible for more than 3 million American jobs. Additionally, 75 percent of the value created by the Internet is captured by companies in traditional American industries who embrace the Internet to connect with new customers and suppliers.

Past Administrations have made a point of having senior level technology advisors to help ensure our policies take these vast economic benefits into account.

Will you prioritize the digital economy as secretary and will you appoint a senior digital economy official to advise you on these economically critical issues?

Answer. I agree that it is important to be fully briefed on new technologies and the digital economy. To that end I will develop a structure to ensure that I receive the soundest advice possible.

Question 3. The Department of Commerce is responsible for the release of vital data, whether through the National Institute of Standards and Technology (NIST) or at the Economics and Statistics Administration that releases GDP data and runs the Census. Are you committed to keeping with consistent release of information and data to the general public?

Answer. I favor the prompt distribution of the maximum depth and breadth of high quality, reliable data that is feasible.

Question 4. The National Oceanic and Atmospheric Administration (NOAA) makes up 60 percent of the Department of Commerce budget. Our nation's ocean economy contributes almost twice as much as the entire farm economy to the Nation's GDP and employs more people. How important do you think NOAA is to the Commerce Department's mission, and what do you think its most critical functions are?

Answer. NOAA is hugely important. Improving the accuracy and timeliness of weather information will protect lives and property. NOAA's fishery activities are equally important, and it plays a vital role in providing accurate maps for safe navigation. Finally, I favor pure scientific research of all forms. As a resident of Southern Florida, I am very aware of the importance of these functions.

Question 5. Will you commit to allowing NOAA to publish vital weather and atmospheric data so that the public can continue to be informed about the state of our environment?

Answer. I am not aware of any artificial constraints on NOAA's publication of data and have no present intention of changing that situation.

Question 6. The Exclusive Economic Zone (EEZ) of the United States encompasses an ocean area larger than that of any other country and one and a half times the size of the continental U.S. What do you see as NOAA's role in understanding and managing this area?

Answer. NOAA has a clear role in the management and scientific exploration of the EEZ—from fisheries management, to reviewing activities for the exploration and extraction of resources, to mapping and nautical charting for safe and efficient navigation. If confirmed, I am looking forward to working with you on these matters.

Question 7. Do you support the ability of coastal states to determine the consistency of Federal actions, including the leasing of Federal offshore lands for oil and gas exploration and drilling, with the states' federally approved coastal zone management programs, as required by the Federal Coastal Zone Management Act?

Answer. If confirmed I intend to comply with the Coastal Zone Management Act.

Question 8. Do you believe that government scientists should ever be restricted in when and how they communicate their research findings?

Answer. Scientists should be free to communicate data clearly and concisely.

Question 9. Is there ever a point in which a political appointee should ask a scientist to change or modify their research results?

Answer. Scientists should be free to communicate data clearly and concisely.

Question 10. NOAA's current scientific integrity policy articulates, among other things, that agency scientists should avoid conflicts of interest and conduct science free from political interference. Do you agree with these principles?

Answer. Science is science and should not encompass bias. If confirmed, I look forward to a full briefing on NOAA's scientific integrity policy.

Question 11. Commercial fishermen in the United States are currently struggling with the impacts of climate change. For example, two thirds of the commercial fish species in New England have moved northward due to warming waters. NOAA recently developed regional research plans to help better manage our commercial fisheries in the face of climate change. Will you support this research agenda?

Answer. As I mentioned in the hearing, I have enjoyed talking with the Members of the Committee about the fishing interests in the different states. I understand that this is an important industry and that this is an important issue. If confirmed, I look forward to working with Congress on these issues.

Question 12. NOAA oversees a large proportion of climate research. Will you maintain current budgets for that important area of science?

Answer. I have not been briefed on the details of NOAA's budget and naturally have not reviewed NOAA management's recommendations. Supporting accurate and timely weather forecasts to safeguard life and property and facilitate commerce and tourism will be a priority.

Question 13. Over the past three years, states from Maine to Virginia have worked in coordination with multiple Federal agencies, regional fisheries managers, and tribes—and with extensive industry and public involvement—to develop two regionally specific ocean plans that will help ensure the waters off our shores remain healthy and continue to serve as an economic engine for the long haul. The plans set out best practices for coordination between state and Federal agencies on a host of burgeoning issues from sand mining to aquaculture so that agencies will work together more efficiently to advance smart, responsible development. A great deal of effort has been invested in these plans and the states like mine expect to see Federal agencies keep their commitments. Will you support NOAA's continued engagement in these regionally-led efforts?

Answer. I look forward to reviewing the plans and intend to continue NOAA's participation in these collaborative efforts.

Question 14. This Committee, under the leadership of Senator Stevens and others, led the reauthorization of the Magnuson Stevens Fishery Conservation and Management Act in 1996 and again in 2006. As a result, the law now includes important requirements for sustainable management of our Nation's fisheries, including (1) an end to overfishing, (2) the setting of science-based annual catch limits that ensure that overfishing does not occur; and (3) the rebuilding of depleted fish populations to healthy levels. These requirements have led to a restoration to healthy levels of a large number of U.S. fisheries, a steady rise in the value of our Nation's seafood harvest, and made the U.S. a leader in sustainable fisheries. We are looked at as a model by other countries. Will you commit to helping us preserve, and not weaken, these current requirements in the law?

Answer. In principle, yes. I have been very interested in hearing about the many diverse and important fishing interests around the country. It is clear that this is a very important industry and that this is an important issue to the Committee and the Nation's economy. If confirmed, I look forward to working with the Congress on these issues.

Question 15. An estimated $1 billion of illegally caught seafood is imported into the U.S. annually, which undercuts law-abiding U.S. fishermen who are fishing fair-

ly. Illegal seafood imports also undermine the sustainability of the world's fisheries by flooding the market with fish that have not had to meet the same protective environmental standards as U.S.-caught fish. In 2014, the U.S. convened a cross-government effort on Combating Illegal, Unreported and Unregulated (IUU) Fishing and Seafood Fraud to address the economic and environmental problems associated with IUU fishing. Since then the Task Force has been working across agencies to address IUU fishing through international and domestic actions, including implementation of the recently adopted Traceability rule. What will you do to address the international IUU fishing crisis, protect the health of global fisheries, and protect the interests of the U.S. fishing industry?

Answer. I strongly oppose illegal importation of anything. Ensuring that seafood brought to the U.S. market is legally caught and sustainable is very important. I understand that NOAA is working on several initiatives on this front. I look forward to working with you and the Committee to address these important issues.

Question 16. Ocean noise pollution from seismic oil and gas blasting is recognized as a major threat to whales and other marine life. Last year, in a statement to President Obama, a group of leading marine experts expressed concern that the introduction of seismic airgun blasting off the U.S. east coast would jeopardize the survival of the endangered North Atlantic right whale; the year before, marine scientists warned that airgun blasting off the east coast would have long-lasting, widespread impacts on the region's marine mammal and fish populations. Nearly 100 counties and towns and more than 30,000 businesses across the region have expressed strong opposition to seismic exploration off their shores. Do you support or do you oppose seismic exploration for oil and gas off the U.S. east coast?

Answer. I would have to rely on scientific advice and appreciate that these are complex issues that require careful consideration. As a resident of Southern Florida, I also understand how important coastal communities are to our economy. I understand that this is an important issue to you, and if confirmed, I look forward to working with the Congress on these issues.

Question 17. What will you do to protect the marine environment from seismic exploration in other regions?

Answer. If confirmed, I look forward to being briefed by NOAA on seismic impacts on marine mammals and the marine environment. As you know, NOAA and the Department are required to comment on impacts to marine mammals and other marine species as part of the National Environmental Policy Act review process, and this important work will continue to be a priority.

Question 18. Last year NOAA adopted an Ocean Noise Strategy to manage the chronic, cumulative impacts of ocean noise, which the scientific community recognizes a major environmental threat to everything from great whales to small invertebrates. Will you make the Ocean Noise Strategy a funding priority for your Department?

Answer. I have not yet been briefed on this strategy. I know that the scientific work that NOAA does is important in a wide range of areas. If confirmed I look forward to working with Congress on this issue.

Question 19. For more than 40 years, the Marine Mammal Protection Act has been a global model for the conservation of whales, dolphins, seals, and other iconic species—species that are critical to ocean health and are passionately supported by the American public. Under the MMPA, marine mammal species in U.S. waters have fared significantly better than those in most other regions, with many populations rebounding and all benefiting from mitigation and other conservation measures required by the Act. But the continued health of our marine mammal populations depends on the integrity of this legislation. What will you do to defend and promote the MMPA's precautionary standards?

Answer. I understand that United States law has set many important standards for the protection of the marine environment. If confirmed, I look forward to exercising judiciously the Department's responsibilities under the MMPA and other laws enacted by Congress for the protection of marine species and the marine environment.

Question 20. A number of iconic, endangered marine mammal populations off our shores, including North Atlantic right whales off the east coast, southern resident killer whales off the Pacific Northwest, and beluga whales in Cook Inlet, Alaska, are failing to recover from near-extinction and may indeed be in active decline. What concrete actions will you take to ensure the recovery of these critically endangered populations?

Answer. The health of our marine mammal populations is very important. If confirmed, I look forward to engaging with NOAA experts to learn more about these

issues and what may be the best strategies for the health of these populations going forward.

Question 21. NOAA recently issued regulations requiring that foreign fisheries imports meet the same protective standards for marine mammal bycatch that U.S. fisheries do. This measure, which is legally required under the Marine Mammal Protection Act, has the potential to spare tens of thousands of marine mammals around the world from entanglement and death, and has the benefit of putting U.S. fishers on a more level playing field with their foreign competitors. What will you do to prioritize enforcement of our marine mammal bycatch standards on foreign fisheries imports?

Answer. I believe in making sure that U.S. businesses have a fair playing field, and that certainly includes our fishing industries. If confirmed, I look forward to engaging with NOAA on its activities in this area as well as our enforcement strategies and priorities for protecting U.S. fishing interests.

Question 22. And what actions will you take to ensure that our domestic bycatch standards remain robust?

Answer. I know this is an important issue to you. If confirmed, I look forward to being briefed on this issue and working with the Congress to maintain our global leadership on bycatch issues.

Question 23. Unfortunately, there are an increasing number of marine species on the threatened or endangered species list. Do you support protecting these threatened and endangered marine species and their critical habitats?

Answer. The health of our marine species populations is very important. If confirmed, I look forward to engaging with NOAA experts to learn more about these issues and what options may be the best strategies for the health of these populations going forward.

Question 24. I want to turn to an area of involvement where the Department of Commerce under President Obama has made enormous strides: advanced manufacturing. In 2014, President Obama signed a law that would create different manufacturing innovation institutes that would work to bring together industry, academia, and government actors to foster innovation in manufacturing. The program is called *Manufacturing USA.*

To date, there have been nine manufacturing innovation institutes established or announced with more that may come in the coming year.

Will you commit to keeping this Obama program, which passed Congress with bipartisan support?

Answer. Advanced manufacturing is critically important to United States competitiveness. Everything I have learned thus far about Manufacturing USA suggests that it has produced good results. If confirmed, I am committed to ensuring that the Department continues to strengthen U.S. advanced manufacturing capabilities in the most effective manner possible.

Question 25. Do you have any specific initiatives that will spur advanced manufacturing in the United States?

Answer. Increased private sector awareness of the opportunities for advanced manufacturing and means of achieving them should be a priority.

Question 26. In this role, you will be charged with overseeing the National Telecommunications Information Administration, NTIA, which manages Federal spectrum holdings. What are your views on Federal spectrum?

Answer. I favor the maximum private use of spectrum that is consistent with the diverse long term needs of the United States for use of this valuable public resource.

Question 27. The nation is undergoing a process recommended by the 9/11 Commission to outfit the country with a nationwide public safety telecommunications network known as FirstNet. This will improve the safety of our citizens and provide first responders with the support they need to effectively save lives and respond to emergencies. How do you plan to ensure total transparency and careful oversight of this roll out?

Answer. The concept of FirstNet seems sound. If confirmed I will work to address the problems that have arisen in the early stages of the rollout and will exercise careful oversight of the process. It will be important to keep open communication with the States and Congress as FirstNet builds out, in order to ensure maximum participation and minimize the cost for using the network.

Question 28. In addition to my role on the Commerce Committee, I am member of the Senate Committee on Small Business and Entrepreneurship.

One of my key priorities has been to increase the number of minority and women-owned small businesses. As the Secretary of Commerce, you will have oversight and

assist in the management of Commerce's Minority Business Development Agency (MBDA).

Can you speak to your view of the Department's role in increasing the number of minority- and women-owned businesses? How will you build upon the current administration's efforts?

Answer. I strongly support the objectives of the MBDA and will try to increase public awareness of the assistance MBDA can provide.

Question 29. As you know, in today's economy broadband is no longer a luxury, but a necessity for people to participate in our job markets, access goods and services, and fulfill their educations.

Thus, I have long supported the goal of connecting all Americans to high-speed, high capacity Internet access. The Secretary of Commerce plays an important role in achieving this end. If confirmed, you will have oversight of the National Telecommunications and Information Administration, which manages spectrum—a necessity for wireless and mobile broadband—for the Federal Government.

How will you encourage agencies to use spectrum more efficiently, thereby making more spectrum available for the private sector to ensure continued economic growth and opportunities?

Answer. I favor analyzing what the government's long-term needs are for spectrum and devising some means of incentivizing current spectrum users to divest spectrum that they do not need. This incentive plan may well be contingent on Congressional action.

Question 30. If confirmed to lead the Department of Commerce, will you commit that NTIA will continue its work to explore opportunities for spectrum sharing between Federal and non-Federal users?

Answer. Yes.

Question 31. Unlicensed spectrum is, and will continue to be critical for U.S. economic growth. According to some forecasts, by 2020, the Internet of Things could connect 50 billion devices, with an estimated economic impact of $19 trillion.

Given that the vast majority of IoT traffic travels over unlicensed spectrum, what actions will you direct NTIA to take to ensure American consumers and businesses have access to sufficient unlicensed spectrum to promote growth in the IoT economy?

Answer. Unlicensed use of spectrum has been an engine of innovation and economic activity. This will continue as devices and applications for the Internet of Things proliferate. If confirmed, I will ensure NTIA continues to make spectrum available in a manner that advances innovation and economic prosperity as well as meeting the long term needs of the United States.

Question 32. In our 21st Century economy, broadband access and adoption are core issues of economic opportunity and competitiveness. Entrepreneurs can't connect to the global economy without access to broadband, and communities without high speed connectivity aren't realistic locations for companies to invest in. What steps will you take to promote broadband deployment, and the availability of affordable and competitive broadband, to unserved and underserved places in rural, tribal, and low-income parts of America?

Answer. The logical way to foster broadband deployment and increase broadband availability in currently unserved and underserved areas would be to include broadband in whatever infrastructure package Congress ultimately adopts. I will also review the programs within the Department to determine which programs have been most successful in enhancing broadband deployment and availability.

Question 33. Among your many responsibilities is one mandated by the U.S. Constitution, overseeing the successful organization and management of the 2020 Decennial Census. As you know, the Census helps to insure fair and equal representation and provides critical population data that informs our policy decisions. What assurances can you give us today that you will work diligently to ensure 2020 is the best census in our history?

Answer. As a former enumerator employed by the Census I am aware of the magnitude and complexity of the task as well as its importance to the allocation of Congressional seats and funding. I will work hard to ensure a full, fair and accurate Census and to meet the challenges of the changed technological approach to the process.

Question 34. America's patent system has been the model for the world in creating strong patents that lead to technological innovation and spur job growth. But in recent years, countries in Western Europe and Asia have challenged our global position on patents by creating strong patent protections that rival ours, which has led to missed economic opportunities and the loss of American jobs to countries over-

seas. Do you agree that America should regain its preeminent standing as the global gold standard on patent protection to ensure that we protect our role as the leader in the free world on spurring innovation and job growth? If so, how do we accomplish that goal?

Answer. Yes. If confirmed, I will seek to develop a detailed plan to ensure America's patent system is the global gold standard.

Question 35. When we met in my office, you offered your thoughts on re-negotiating NAFTA as a way of supporting manufacturers in the United States. You pointed out that Mexico's minimum wage has fairly low in the decades since the agreement with signed, contributing to a loss of jobs. How do we ensure a renegotiated trade agreement will help American manufacturers? How can we do that while supporting wages in Mexico also rise?

Answer. The two objectives are complementary, not contradictory. In my view, achieving the first will result in the second.

Question 36. In renegotiating NAFTA and other trade agreements, will you maintain or strengthen support for Buy America policies?

Answer. Buy America will be a major topic in any renegotiation of NAFTA or the negotiation of new bilateral agreements with our trading partners.

Question 37. In renegotiating NAFTA, will you support ending the controversial investor-state dispute settlement provisions that can actually have the effect of rolling back consumer protections or food labeling laws?

Answer. I do not support the current investor-state dispute settlement provisions. I believe the long-term objective should be to bring other countries up toward our labor, environmental and health standards.

Question 38. How would renegotiating NAFTA help startups and tech entrepreneurs?

Answer. The present NAFTA does nothing special to help American entrepreneurs and largely ignores technology. These are two of the imperfections that can be addressed in any negotiation of new agreements with our trading partners.

Question 39. American businesses of all sizes are world leaders in the new data-driven economy, driving the fields of cloud computing, data analytics, the Internet of Things, and electronic payment systems among others. They depend on the ability to transfer information across borders to and from the United States. However, many foreign governments are restricting the free flow of data. We are increasingly seeing policies that try to force U.S. businesses to shed jobs in the U.S. and localize them into foreign markets.

Congress has called for action against digital trade impediments. The President has extensive trade enforcement authorities.

As Secretary, what actions will you pursue to obtain a level playing field for America's digital trade champions?

Answer. It is critical for the U.S. economy and the American worker that U.S. technology firms are able to compete on a level playing field overseas. If confirmed, I will use all the tools available to the Department of Commerce to secure fair and nondiscriminatory digital trade practices and push back on protectionist regulations targeting American firms.

Question 40. In a report on China's compliance with WTO obligations issued last year, the office of U.S. Trade Representative stated "China has not yet taken needed steps to authorize access by foreign suppliers . . . [to the electronic payment market" despite its trade obligations.

As Secretary, how do you plan to ensure that China lives up to its WTO commitments in this area, and others?

Answer. The basic premise behind the U.S. Government's support of China's accession to the WTO was that China would play by the rules. That premise was incorrect. Stronger enforcement is the key to obtaining compliance.

Question 41. Thousands of U.S. businesses, large and small, have customers overseas. With the explosion of cloud computing, nearly all of them depend on their ability to transfer information rapidly and efficiently to and from facilities and customers outside the United States. Digitally-enabled trade has played a role in the creation of millions of American jobs. But digital trade is vulnerable to restrictions imposed by foreign governments restricting the free flow of data and requiring that it be stored within foreign countries. These forced localization restrictions are increasing across the globe.

The Commerce Department has been a leader in U.S. efforts to combat such restrictions. As Secretary, what efforts will you undertake with foreign governments to enable digital trade to thrive and grow?

Answer. I am strongly pro-cloud computing. If confirmed, I will work to leverage all of the collective expertise of the Commerce Department's many agencies and bureaus to both advocate for open digital trade and to push back on restrictive digital policies overseas, such as restrictions on the free flow of data and forced data localization requirements.

Question 42. I think we agree there is a geographic disparity in the economy. Cities like Newark, NJ and perhaps rural regions like the Chairman's see challenges in attracting capital and investment, while regions like Silicon Valley or New York have proven more resilient and dynamic.

The Department of Commerce can play an important role when it comes to issues concerning the innovation and digital economy. America has some great successes to share when it comes to the growth of startups and new tech industries that have changed commerce in this country.

How do you plan to support and bolster entrepreneurs, particularly those in emerging technologies and startups, ensure they can compete on an even playing field with businesses in other countries?

Answer. I understand that Commerce is engaging on this issue on several fronts. For example, the Commerce Department's International Trade Administration's mission is to 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. I understand that the Economic Development Administration (EDA) also plays a role in helping move communities up the economic ladder to produce incrementally more valuable goods and services. It is also my understanding that EDA prioritizes support for entrepreneurs and startsup, helping them to accelerate the growth of their ideas into the marketplace and compete globally. I look forward to working with the Congress and the U.S. business community to help promote innovation and entrepreneurship.

Question 43. I want to hear about your vision—and the Trump Administration's—for jobs in the U.S. economy. There is, beyond the role of national defense, no more important responsibility than for members of this Federal Government to work to create an economy where every American has the chance to succeed.

While the economy has dramatically improved during the Obama era going from the brink of a depression and an unemployment rate of 10 percent to 4.7 percent in the recent jobs report. Over 14.8 million jobs have been created during the economic recovery under President Obama. This number includes the over 800,000 jobs in manufacturing created since the end of the recession. Do you agree that President-elect Trump will take office with a stronger economy than President Obama did?

Answer. The economy remains unable to meet the needs of the American worker.

Question 44. I want to follow up on a transaction that the President-Elect influenced in late 2016 involving the Indiana company, Carrier. I was grateful for the 700 individuals who were able to keep their jobs as a result of the deal. However, I was troubled to see many American workers lose their jobs, some of the remaining jobs get sent overseas to Mexico, while Carrier received $7 million in tax breaks. Was the recent "Carrier Deal" a one-time action by the President-Elect or the blue print of a policy of the Trump Administration? Does the Trump Administration believe that government should actively intervene in the marketplace to stem job losses?

Answer. The tax breaks granted Carrier by the state of Indiana are consistent with Indiana's economic development policy.

Question 45. You have stated a desire to integrate new technologies into the Department of Commerce and to utilize technology to better implement the 2020 Census count. Can you elaborate on your plans to achieve these goals?

Answer. It is my understanding that the 2020 Census is undergoing a complete redesign with an effort to embrace technology to modernize and automate its operations without sacrificing data quality. As a one-time Census enumerator, if confirmed, I look forward to working with the Census team on this critically important job.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TOM UDALL TO WILBUR L. ROSS, JR.

Question 1. Are you the beneficiary or trustee of any discretionary trust that has not been fully disclosed to the Committee or the Office of Government Ethics? If so, please provide detailed information about the trust(s).

Answer. No.

Question 2. During a campaign speech in Ashburn, Virginia last August, President-elect Trump reportedly said that he would "at least double" Hillary Clinton's proposed $275 billion infrastructure plan. Yet he did not provide many details where the money to do this will come from. A campaign website describes "leverag[ing] new revenues and work with financing authorities, public private partnerships, and other prudent funding opportunities." Can you shed more light on what the Trump infrastructure plan really is and how it will be funded?

Answer. The President's infrastructure proposal is under development. At this time I have no more detail to provide.

Question 3. Some of my Congressional colleagues have reportedly expressed concerns about how to pay for a Trump infrastructure plan. There are news reports that estimate that a tax reform package could lead companies to repatriate up to $200 billion of overseas cash holdings. Such tax measures could be part of a broader agreement to help fund infrastructure upgrades with Federal investments. What level of direct Federal investment will be necessary to support a Trump infrastructure plan?

Answer. As previously described, the President's infrastructure proposal is under development and it would be premature to comment on any particular aspect of it at this time.

Question 4. During the hearing you mentioned that infrastructure spending can have an economic stimulus effect. Would direct Federal investment to upgrade our Nation's infrastructure create jobs and promote economic growth?

Answer. Yes. In general a significant portion of infrastructure spending is paid out in labor costs, which results in an immediate economic stimulus effect.

Question 5. Mr. Ross, I was pleased to learn during our meeting that you have firsthand job experience as a Census worker. The 2020 Census will be one of your biggest challenges in your new job as Commerce Secretary. One perennial challenge facing the Census is getting an accurate count of Americans who are ethnic and racial minorities. My home state of New Mexico has a large Hispanic population and twenty-two Federally-recognized Indian tribes. The Census Bureau's own analysis of the 2010 Census found that 1.5 percent of the Hispanic population was undercounted. And almost 5 percent of American Indians and Alaska Natives living on reservations were undercounted. Will you commit to making improvements in the 2020 Census to ensure a more accurate count of ethnic and racial minorities?

Answer. If confirmed, I will do my best to assure a full, fair and accurate Census that includes hard-to-count populations.

Question 6. Tribes have expressed for years their interest in being able to better access programs at the Commerce Department. I believe better communication with tribes and having Commerce Department personnel focused on working with our tribal governments are key steps to making improvements. If confirmed, will you uphold our Federal Government's treaty and trust responsibilities to Indian tribes?

Answer. If confirmed, I look forward to being involved in government to government consultations with Federally-recognized Tribes and working with Congress and Native Americans to improve understanding of and access to the Department's programs.

Question 7. Mr. Ross, during our private meeting, we spoke at length about the economic challenges facing many Native American communities where the unemployment rate can be as high as 40 percent. I believe that the Department of Commerce needs to do a better job of harnessing its various tools to support economic development. One proposal we discussed is creating an Office of Native Affairs within the Commerce Secretary's office. This could encourage a more coordinated and comprehensive approach to encourage job growth in Indian country. Will you consider this idea and reply in writing whether you will stand up such an office?

Answer. If confirmed I will formulate a policy as soon as practical.

Question 8. Will you share in writing within 90 days how the Commerce Department under your leadership will support economic growth and job creation on tribal lands?

Answer. If confirmed, I will review the Department's current programs and policies in this regard and will work with the Department and Congress to advance policies that promote economic growth and job creation throughout the country, including tribal areas and rural communities.

Question 9. According to Federal Communications Commission data, 80 percent of those living on tribal lands in my home state do not have access to fixed broadband. When FCC Chairman Tom Wheeler visited Acoma Pueblo with me, we stopped by the tribe's community library. It has free Wi-Fi that the librarian keeps on 24/7. That way those without Internet at home can come to the parking lot after

hours and still get online from outside the building. These unserved areas are precisely where broadband technology can help the most. By overcoming physical distances and geographic isolation, broadband can help improve economic development, education, and access to health care. What steps will the Commerce Department take under your leadership to close the digital divide facing Indian country?

Answer. Any infrastructure bill might be the logical place for this.

Question 10. The appalling statistics for the digital divide on tribal lands do not convey the real hardships and lost opportunities that are a consequence of a lack of investment in telecommunications infrastructure. Following the abduction and tragic death last year of 11-year-old Ashlynne Mike near Shiprock, New Mexico, the Navajo Nation is working to put an amber alert system in place. But this will not work in areas without wireless service. That is just one example that highlights how the digital divide impacts those living on tribal lands. So I strongly supported the inclusion of broadband infrastructure in President Obama's stimulus package. NTIA's Broadband Technologies Opportunities Program (BTOP), for example, supported important fiber and wireless investments on the Navajo Nation. Will you support the inclusion of direct Federal investments in broadband as part of a Trump Administration infrastructure plan?

Answer. All unserved and underserved areas should be considered for broadband deployment in any infrastructure bill. I support broadband deployment as an important asset needed to promote jobs and facilitate advanced manufacturing and technology innovation. I look forward to being briefed on the Department's broadband efforts to date and working to maximize the effectiveness of the Department's programs in this regard.

Question 11. What are your own personal views on climate change and the scientific evidence that demonstrates humans are impacting the climate?

Answer. I know climate and weather information are important. If confirmed, I will make sure the Department provides the accurate and reliable data on these matters to the general public.

Question 12. How will your understanding of climate change inform your leadership of the Department of Commerce?

Answer. If confirmed, I look forward to being fully briefed by the Department's scientists on weather and climate issues. These briefings will inform my leadership of the Department and the advice I provide if confirmed as Secretary of Commerce.

Question 13. I was alarmed by news reports that the Trump transition team sought a list of all Department of Energy employees or contractors who attended climate change-related meetings. This sparked fears of a potential purge of scientists based on their research. Will you give your assurance that scientists and staff who work on climate issues in the Department of Commerce will not face intimidation or any negative attention based on their scientific research? Please answer yes or no.

Answer. If confirmed, I will manage the Department without bias. Scientific factual data should be the sole province of scientists.

Question 14. NOAA leads the interagency National Integrated Drought Information System (NIDIS), which is charged with providing drought early warnings to the United States. Farmers, particularly those in drought-prone regions like much of New Mexico, rely on these predictions for crop and water management. Will you continue this important effort as Secretary of Commerce?

Answer. If confirmed, I look forward to being fully briefed on the National Integrated Drought Information System. I recognize the importance to farmers of timely and accurate information related to drought conditions.

Question 15. As a member of the National Interagency Fire Center, NOAA and the National Weather Service provide weather data that is crucial for predicting fire conditions before fires begin, and for monitoring fire-fighting conditions so that our first responders are able to act in a safe and efficient way. This program is increasingly important in states like New Mexico, where drought conditions make much of our 16.7 million acres of forested land vulnerable to fires. Will you continue this vital program within NOAA and the National Weather Service?

Answer. I agree that the National Weather Service serves an essential function. Timely and accurate weather information is crucial to protect both lives and property, and especially so in areas prone to wildfires. Weather information is also essential to the smooth functioning of numerous areas of commerce, including aviation, shipping, fishing and farming, to name just a few. Proper staffing of the NWS is therefore important and, if confirmed, I intend to review the current efforts and see how they can be improved, including with respect to maintaining the National Weather Service's role in the Interagency Fire Center.

Question 16. Mr. Ross, thank you for your interest in encouraging efficient use of Federal spectrum, taking advantage of the potential resources of the Spectrum Relocation Fund, and finding opportunities to make more spectrum available for commercial use. However, this generally refers to commercializing spectrum for licensed use (*e.g.,* mobile phone networks). Could you state for the record whether you agree with me that unlicensed spectrum (such as that currently used for Wi-Fi enabled devices) also has a critical role in promoting innovation and economic growth?

Answer. If confirmed, I will work with NTIA to promote the availability of both licensed and unlicensed spectrum for broadband applications and new innovation, including the Internet of Things, while ensuring that the long-term needs of the United States continue to be met.

Question 17. If confirmed, will you support ongoing NTIA efforts to explore spectrum sharing opportunities between Federal and non-federal users?

Answer. If confirmed, I look forward to being briefed on NTIA's current efforts with respect to spectrum sharing, and in general will favor policies that maximize efficient use of spectrum.

Question 18. During the hearing, you noted that Federal entities should continue to have access to the spectrum they need. This is particularly important since many Federal agencies rely on wireless spectrum to meet their missions, including critical law enforcement and national security functions. I would like to make sure you are also aware that NTIA manages spectrum used by National Science Foundation-supported research activities such as radio astronomy. Astronomers from around the world use the Very Large Array (VLA) radio telescope located outside Socorro, NM to make observations of stars, quasars, pulsars, and galaxies that would not be possible with optical telescopes. Current law allocates certain radio frequencies for such scientific use and protects against harmful interference. If confirmed, will you ensure that NTIA will continue to ensure that radio astronomers have access to the spectrum their work depends on?

Answer. If confirmed, I look forward to being briefed by NTIA on the many different government uses of the radio spectrum. Radio astronomy seems like an appropriate use of spectrum to advance the Nation's scientific knowledge.

Question 19. Trump campaign national policy director Stephen Miller issued a statement (available at *https://www.donaldjtrump.com/press-releases/donald-j.-trump-opposes-president-obama-plan-to-surrender-american-internet,* accessed Jan. 18, 2017) in response to NTIA's long-planned effort to privatize the administration of the Internet's domain name system (DNS). The largely technical function of DNS can be compared to maintaining a phone directory to help computers connect across the Internet, for activities such as web browsing or cloud computing services. Mr Miller stated that: "The U.S. should not turn control of the Internet over to the United Nations and the international community. President Obama intends to do so on his own authority—just 10 days from now, on October 1, unless Congress acts quickly to stop him . . . . . Internet freedom is now at risk with the President's intent to cede control to international interests, including countries like China and Russia, which have a long track record of trying to impose online censorship. Congress needs to act, or Internet freedom will be lost for good, since there will be no way to make it great again once it is lost." The October 1, 2016 expiration of NTIA's Internet Assigned Numbers Authority (IANA) functions contract that Mr. Miller's statement warned about has already occurred. Do you believe the Internet today is now "lost" to international interests including China and Russia?

Answer. I am not aware of any feasible alternative to the current situation. Should a feasible alternative be presented it would certainly merit serious consideration.

Question 20. Did the October 1, 2016 expiration of NTIA's Internet Assigned Numbers Authority (IANA) functions contract result in a loss of Internet freedom?

Answer. I have not seen a thorough analysis of this question.

Question 21. NTIA describes itself as "the Executive Branch expert on issues relating to the DNS and supports a multi-stakeholder approach to the coordination of the DNS to ensure the long-term viability of the Internet as a force for innovation and economic growth" (available at *https://www.ntia.doc.gov/category/domain-name-system,* accessed Jan. 18, 2017). Will NTIA under your leadership continue to support a multi-stakeholder approach to Internet governance?

Answer. I have no reason to change this policy.

Question 22. The Middle Class Tax Relief and Job Creation Act of 2012 created the First Responder Network Authority (FirstNet) as an independent authority within NTIA. Will you support efforts to ensure that rural areas, and not just urban centers, benefit from this initiative to create a public safety broadband network?

Answer. If confirmed, I look forward to being briefed on FirstNet's plans for deploying in rural areas. I support broadband deployment as an important asset needed to promote jobs and facilitate advanced manufacturing and technology innovation.

Question 23. Mr. Ross, we heard a lot about the border during the presidential campaign, such as plans to build a border wall and raise tariffs on products from Mexico. This has caused concerns in borderlands areas of my home state about how these policies could hurt jobs and business opportunities. So I would like to invite you to visit New Mexico and to meet some of my constituents who live and work near the border. If confirmed, will you commit to visiting New Mexico to see firsthand some of the economic challenges and opportunities in the Land of Enchantment?

Answer. I look forward to future visits to New Mexico to learn firsthand of the challenges and opportunities your communities face.

Question 24. According to reports, your transition team prepared a memo outlining plans to begin reform of the North American Free Trade Agreement (NAFTA) on "day one". Should you be confirmed, what role will the Department of Commerce have in accomplishing this?

Answer. The Department of Commerce, USTR, the newly created National Trade Council, and the President's new special advisor for international negotiations will work collaboratively to maximize the intellectual and analytical resources brought to bear on trade negotiations. Congress has provided Commerce and USTR complementary statutory roles, and these roles will be executed in a coordinated manner with the support of the NTC and the special advisor.

Question 25. Do you plan to order the Department in partnership with International Trade Commission to begin a study on the ramifications of withdrawing from NAFTA?

Answer. The International Trade Commission will continue to perform its statutory functions.

Question 26. Will you recommend notifying Mexico and Canada that the United States intends to propose amendments NAFTA?

Answer. The President made clear during his campaign that the United States intends to re-visit NAFTA and negotiate necessary changes to ensure fair and balanced trade with both Mexico and Canada. I support the President's view on this matter.

Question 27. If so, what amendment(s) will you as head of the Department of Commerce propose under such NAFTA negotiations?

Answer. It is obviously premature to discuss the details of what might be negotiated, but during the campaign concerns with compliance and with trade agreement details were frequently raised. NAFTA issues of concern include rules for country of origin, dispute resolution mechanisms, and simultaneity of concessions. Addressing these concerns will be part of any future negotiations.

Question 28. How will you utilize your role as Secretary of Commerce to force China to adhere to its commitments made during the 2013 U.S.-China Strategic and Economic Dialogue to adopt a market-determined exchange rate? China has yet to deliver on this commitment. Will you recommend that the President take further action to stand up for American workers and address China's currency manipulation?

Answer. I agree that currency manipulation is inappropriate and should be addressed. However, it is the Department of the Treasury that is responsible for designation of currency manipulation offenders, so I must defer to Treasury's judgement with respect to whether or not any particular country is engaged in the practice.

Question 29. New Mexico is a majority minority state. Nearly half—48 percent—of New Mexicans are Hispanic and over 10 percent are Native American. This diversity is one our state's greatest strengths. But it also means that a larger proportion of business owners in New Mexico face challenges obtaining contracts and financial awards when competing globally. Around the country, MBDA does a great job working with entrepreneurs including in Santa Fe. I was disappointed, however, that MBDA decided to cease operations in Albuquerque. At this critical time for New Mexico's economic security, I believe any decrease in MBDA's services needs to be quickly corrected. What is your plan to provide access to MBDA services in areas that do not currently have an MBDA office?

Answer. If confirmed, I look forward to being briefed on MBDA programs and understanding the funding and staffing challenges that MBDA faces. I plan to review all aspects of the Department to find efficiencies and cost savings in order to maxi-

mize the Department's ability continue programs that promote jobs, innovation and exports.

Question 30. If confirmed, will you support NIST's ongoing efforts, such as Head Health Challenges, to support the discovery, design and deployment of advanced materials that can improve the protection of athletes, members of the military and others from brain injuries?

Answer. If confirmed, I look forward to learning more about what NIST is doing in this area. In general, I support the concept of advanced material research.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO WILBUR L. ROSS, JR.

Question 1. Unfortunately today many are worried that data produced by scientists during the Trump Administration will be edited, twisted, or even completely hidden from the public by political appointees, especially if that data is related to climate change. The Department of Commerce, along with most other Federal agencies, has a policy on scientific integrity to ensure that science is conducted and communicated to the public without political interference. If confirmed, will you commit to ensuring that scientists and technical experts can edit scientific and technical content and communicate their findings directly to the public?

Answer. If confirmed I will not interfere with the release of factual scientific data.

Question 2. From weather satellites to advanced manufacturing techniques, the Department of Commerce invests in a range of basic and applied research that is critical to our Nation's safety and prosperity. Given existing budgetary constraints, what research areas will you prioritize at the Department?

Answer. Both objectives are important, and I will work with policymakers on behalf of appropriate resources that our government decides should be allocated for research.

Question 3. How will you balance short-term versus long-term funding?

Answer. If confirmed I will weigh carefully the competing demands for funding, and assess inputs to determine the appropriate balance between the two, including information and advocacy from members of Congress and the public.

Question 4. Manufacturing is a critical industry to the state of Michigan and to our national economy. If we want to grow our auto and defense sectors, we have to do more to support the small manufacturers supply chain that serves as their bedrock. NIST's Manufacturing Extension Partnership is the one Federal program that provides technical assistance to the Nation's small manufacturing community, including many defense, auto, transportation and electronics suppliers. Can you commit to growing the Manufacturing Extension Partnership over your tenure to improve the competitiveness of these small manufacturing companies?

Answer. I have heard only good things about the NIST Manufacturing Extension Partnership. If confirmed, I look forward to being fully briefed on the program and will carefully consider it when allocating resources within the Department. As you know, a key constraint on any extension of the program is the amount of available funding that is provided by Congress.

Question 5. Detroit, Michigan is home to the Lightweight Innovations for Tomorrow (LIFT), which is one of the original institutes of NIST's National Network for Manufacturing Institutes (NNMI) under the Manufacturing USA Program. This public-private partnership, founded by the University of Michigan, is focused on the applied development for lightweight metal alloy production and manufacturing technologies for defense and commercial transportation applications. Michigan State University is also a key partner in the Institute for Advanced Composites Manufacturing Innovation (IACMI), another outpost of Manufacturing USA, which is focused on accelerating development of manufacturing technologies for low-cost energy-efficient manufacturing of composites for vehicles, wind turbines, and compressed gas storage. This work is critical to our manufacturing sector and to our international competitiveness. What do you see as the future of Manufacturing USA? How can Congress and the Administration work together to reach the goal of 45 institutes?

Answer. I have heard only good reports about the Manufacturing USA program, and look forward, if confirmed, to a thorough briefing on it. As you are aware, President Trump intends to make increased manufacturing in the United States a priority, and programs like Manufacturing USA would appear to be in line with that goal. The key constraint on reaching the 45-institute objective is funding, which is provided by Congress. If confirmed, I will carefully analyze the pace at which we could afford to expand the program given current budgets and competing priorities.

Question 6. One of the greatest threats facing our Nation today is cybersecurity of our critical infrastructure systems and networks. What is your view on the importance of cybersecurity? Are you committed to the actionable recommendations from Commission on Enhancing National Cybersecurity on securing and growing the digital economy? The report recommends that we close workforce gaps through capacity building and innovation investment—such as automation and artificial intelligence—that will shape the future workforce. What role will NIST play in these efforts? How will NIST and your Department of Commerce work to improve the cybersecurity of the Internet of Things through private-public collaboration?

Answer. Cybersecurity is a huge and immediate problem. Strengthening our cybersecurity is critical to U.S. trade and national security. If confirmed, I will work proactively through NIST and with our interagency and industry partners to address the cybersecurity and privacy challenges that our Nation currently faces and will regularly review the Department's efforts to ensure that markets remain open to U.S. innovators.

Question 7. The value of U.S. intellectual property is estimated at over $5 trillion, and 60 percent of U.S. exports come from IP-intensive industries. Patent protection helps innovators recoup the cost of R&D, capitalize on their inventions, create jobs, and expand the economy. In 2012, the Elijah J. McCoy Midwest Regional U.S. Patent and Trademark Office located in Detroit, Michigan was the first patent office to open outside the Washington, D.C. area. This office serves Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio and Wisconsin. The USPTO has since opened locations in Texas, Colorado and California and entered a partnership with Cornell University. In addition to their administrative functions, these regional offices provide valuable resources to local communities including workshops, trainings, conferences and roundtables. Will you commit to maintaining, supporting the Federal workforce at USPTO satellite offices in Detroit and other innovation hubs like Silicon Valley and Austin?

Answer. I have heard only good reports about USPTO satellite offices, and if confirmed look forward to working with Congress on this issue.

Question 8. Last Congress, I introduced the bipartisan Small Business Innovation Protection Act of 2016 which would require the SBA and USPTO to enter partnerships to leverage existing outreach programs in order to educate more small businesses on domestic and international patents. Specifically, the bill will require the SBA and USPTO to develop partnership agreements in order to develop high quality training relating to domestic and international patent protection and would require the SBA and USPTO to enter partnerships in order to increase the effectiveness of SBDCs. Will you commit to working across agencies to ensure the USPTO leverages resources in support of America's small businesses?

Answer. If confirmed, I favor more patent oriented outreach to small businesses and I will review your legislation for ideas on how to improve USPTO's support for small businesses.

Question 9. The criminal justice system relies heavily on forensic science to identify and prosecute criminals, yet many forensic tests lack scientific validation. For several years, Department of Justice, in partnership with NIST, has brought together scientists, law enforcement, and representatives from the judicial community to enhance the practice and improve the reliability of forensic science. However, in a report last year, the President's Council of Advisors on Science and Technology noted that forensic science methods and tests are still not evaluated for foundational validity. The report recommended that NIST perform such evaluations. What role do you think the Department of Commerce can play in improving criminal justice in this country?

Answer. If confirmed, I look forward to being briefed on what NIST has done to date to improve forensic science and will carefully evaluate the report you cited. I agree that accurate and reliable forensics are an important tool in our criminal justice system, and look forward to working with you on this important issue.

Question 10. Will you prioritize investments to improve forensic science methods at NIST?

Answer. NIST is responsible for carrying out many important programs, including this one. If confirmed, I will carefully evaluate NIST's priorities and will do my best to ensure that the available funding is used to maximum effect.

Question 11. Under the terms of joining the World Trade Organization, China agreed to be designated as a "non-market economy" for 15 years. This designation reflects the reality that China's state-owned enterprises still have control over vast sectors of the Chinese economy. The automatic designation expired last month, and now the Chinese government believes it deserves to be recognized as a market economy.

The Obama Administration has said that the United States would not be changing China's status as a non-market economy, under the current interpretation of the Commerce Department's statutory guidelines. Do you see any reason why this outlook would change under your leadership, if confirmed? Do you believe that China acts in today's interconnected world as a true market economy?

Answer. I do not believe China is a market economy. As long as the Chinese have massive overcapacity they will continue to dump. State-owned enterprises are not required to make a profit because state owned banks continue to prop them up. This sort of behavior is part of the proof that China is not a market economy.

Question 12. One of my foremost concerns with the proposed Trans-Pacific Partnership agreement was the lack of strong currency manipulations provisions embedded in the final agreement. Will the Trump Administration commit to the inclusion of strong, enforceable currency provisions in any future bilateral or multilateral trade agreements it may pursue?

Answer. It is obviously premature to discuss the details of what might be negotiated, but during the campaign concerns with currency manipulation were frequently raised. Addressing these concerns will be part of any future negotiations.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TAMMY BALDWIN TO WILBUR L. ROSS, JR.

Question 1. Mr. Ross, your Department of Commerce ethics agreement states that you will receive a bonus payment and accelerated vesting of stock from Invesco Ltd. should you be confirmed by the Senate. If you were to leave Invesco for a competitor (as opposed to taking a position in the Federal Government) would you receive the same bonus and accelerated vesting treatment?

Answer. Invesco followed its usual procedure for employees who depart on good terms.

Question 2. China claims that its protocol of accession to the WTO requires all countries to treat it as a market economy in antidumping investigations. The U.S. Government has concluded that the United States is under no such obligation. Under the criteria applied by the Commerce Department, China is clearly not a market economy. Treating China as a market economy would essentially exempt it from the antidumping laws, as Chinese companies would always be able to manipulate prices to avoid dumping. As technical as it sounds, this is actually one of the most important issues facing American manufacturing, as well as the manufacturing sectors of the EU, Canada, and Mexico, among others. Will you oppose any grant of market economy status to China? With China now challenging the U.S. position on this issue at the WTO, what will you do to defend our Nation's right to treat China as a non-market economy? What can the Department do to persuade our major trading partners, including the EU and Canada, to also oppose the grant of market economy status to China?

Answer. I do not believe China is a market economy. As long as the Chinese have massive overcapacity they will continue to dump. State-owned enterprises are not required to make a profit because state owned banks continue to prop them up. This sort of behavior is part of the proof that China is not a market economy.

Question 3. Export sales account for one day out of every week's worth of American milk production, making them particularly important to Wisconsin. Although our exports to many markets have been growing, Canada has recently implemented several policies to restrict American access to the Canadian dairy market. Wisconsin ultrafiltered milk exports have already dropped as a result of the Ontario Class 6 program instituted last fall. Next month, a National Ingredients Strategy policy in Canada will further displace U.S. dairy exports and damage global milk powder markets. How will you tackle this immediate threat to U.S. dairy exports and U.S. jobs with one of our top trading partners along our northern border? Beyond trade with Canada, will you prioritize securing and expanding export markets for U.S. dairy products?

Answer. Milk would be a logical part of any negotiation of a new trade agreement with Canada.

Question 4. For the past several years, the European Union has been working to misuse geographical indications in order to erect roadblocks to products from Wisconsin's highly competitive and high-quality cheese makers in many foreign markets. How do you envision working with USTR, USDA and USPTO to combat these European efforts to harm our ability to tap into global markets and erect non-tariff trade barriers to hurt our food exports?

Answer. I oppose all such non-tariff trade barriers.

Question 5. NOAA research and data gathering activities provide critical information, ranging from short to long-term forecasting, data on Great Lakes ice cover, and data that strengthen our understanding of climate patterns. This information is important to Great Lakes coastal communities, farmers, and the Great Lakes shipping industries, as it informs planning and how communities and industries position themselves over time. Under your leadership, would NOAA continue to prioritize research on long-term climate patterns and work to prioritize advancements in timely and accurate weather forecasting? Will you commit that scientists in climate related fields would be unfettered by political influence to conduct their research?

Answer. Scientific factual data should be the sole province of scientists.

Question 6. Coastal communities and regions face unique challenges in revitalizing and improving their resiliency. Would you prioritize resources for coastal communities and efforts to improve resilience against larger and more powerful weather events?

Answer. If confirmed, I look forward to being fully briefed on NOAA's efforts with respect to improving resilience in coastal communities. As a resident of a coastal community, I certainly appreciate the impact that weather events can have and in general support cost effective efforts to minimize those impacts.

Question 7. As the leader of NOAA, you would oversee a substantial research endeavor, which provides basic and applied research to inform nearly every aspect of our economy. What are your views on the Federal role in investing in basic and applied climate, weather, and coastal research?

Answer. There clearly is a role for Federal funding, especially of basic research.

Question 8. America's infrastructure is crumbling, threatening to leave U.S. companies and workers behind many of our competitors. The President-Elect has talked about a big program, which is critical to economic growth and restoring U.S. competitiveness. However, most infrastructure experts believe that tax credits are not the answer. After all, these are public projects—and, while there may be revenue associated with some projects, like toll roads—many projects have lengthy useful lives making it unrealistic to charge users the fees needed to pay private investors back in a timely way. As an example of how this could go awry, we shouldn't be replacing a water system in Flint through a tax credit mechanism, knowing that homeowners will inevitably have to shoulder the costs. So, how big a program is the President thinking about? How much will he ask Congress to allocate in direct spending? Will he ensure that every project is covered by strong domestic procurement requirements?

Answer. I believe we should harness every conceivable source of infrastructure funding including those projects for which sound public policy supports Federal funding. Until we know more about which projects are to be involved, it is impossible to allocate amounts. The President has expressed support for Buy America programs.

Question 9. You have advocated for self-initiating trade cases which, for my constituents, would make a huge difference. This is especially true for small-and mid-sized companies that do not have the resources to navigate the complex and lengthy process of obtaining relieve from unfair trade. Wisconsin companies have had to suffer enormous injury and, often, significant monetary costs simply to bring cases. How do you intend to move forward? What are your priorities?

Answer. We need to pick a couple of different early cases of the scale needed to send a real message.

Question 10. The rules of origin for autos are a critical part of our trade agreements. TPP was a failure in allowing the vast majority of a product to consist of Chinese components but be eligible for a "Made In America" sticker for the purposes of the preferences in the TPP. What percentage of a product should be made in North America—or, more importantly, the U.S.—as you look to renegotiate NAFTA?

Answer. I share the President's objective of ensuring our trade agreements result in more manufacturing and jobs here in the United States. Achieving that objective will be an important goal in any new trade agreement. It would be premature to commit to a specific percentage, though certainly the existing NAFTA threshold represents the high end of any percentage that might be agreed to in future discussions with Mexico or Canada.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TAMMY DUCKWORTH TO WILBUR L. ROSS, JR.

Question 1. The Bureau of Industry & Security has been the leading agency developing export regulations on business with Cuba. Significant progress has been made with U.S. businesses having more opportunities exporting to Cuba. For example, over the past 15 years nearly $5 billion worth of U.S. agricultural products were exported to Cuba and the U.S. held the largest market share of Cuba's agricultural imports for nine of the last 11 years. Illinois accounts for 20 percent of American corn and soybean exports and trade with Cuba could potentially benefit Illinois farmers to the tune of $120 million per year. How will you work to ensure that trade with Cuba continues to grow and open opportunities for U.S. Businesses, including farmers in Illinois, to tap into that market?

Answer. The basic decisions on Cuba will be made by the White House and the State Department. Within those constraints I favor anything that stimulates ease.

Question 2. How will you work to ensure that the 2020 U.S. Census reaches all the diverse populations and what is your commitment to this important 2020 U.S. Census?

Answer. I am keenly aware of the complexity of the process especially with the introduction of hand-held devices and will carefully monitor the training and roll out.

Question 3. With a greater need to encourage more businesses into advanced manufacturing, how will you continue to support the advanced manufacturing initiatives through the Economic Development Agency (EDA), while also considering how to develop a robust supply chain infrastructure that provides opportunity for entry to minority entrepreneurs?

Answer. Both are important objectives, and I do not believe they are mutually inconsistent.

Question 4. Across the nation, Free Trade Zones (FTZs) are engaged in building our economy and promoting American manufacturing and employment. In Illinois, seven active FTZs employed approximately 21,000 workers. In 2015, Illinois ranked ninth among all states in merchandise received; and fourteenth in exports from FTZs.

How would the Trump Administration take advantage of the unique potential of U.S. Foreign-Trade Zones to promote U.S. operations, jobs, and exports, and grow the U.S. economy?

Will the Administration be willing to consider ways to make the U.S. Foreign-Trade Zone Program even more effective in further eliminating trade disparities with foreign countries?

Answer. My steel company used the Foreign Trade Zone Program effectively. If confirmed I look forward to working with the Department and Congress to maximize its effectiveness. We need better communication of its usefulness throughout the business community.

Question 5. I appreciated your commitment during the hearing that if confirmed, you will demonstrate leadership in prioritizing effective enforcement of trade laws that is proactive, timely and robust. Such an initiative is incredibly important to Illinois workers and employees throughout the country. Will you commit to consulting with my office on this effort and to providing me with periodic updates on the status of your progress defending American industry against violations of trade agreements?

Answer. Yes.

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