

Testimony of John M. R. Kneuer
House Energy and Commerce Committee
Subcommittee on Communications and Technology
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Good Afternoon Chairman Blackburn, Ranking Member Doyle, Members of the Committee.

It is an honor to be back here before you, my name is John Kneuer. From 2003 to 2007, it was my privilege to serve first as the Deputy Assistant Secretary, and then to be appointed by the President and confirmed by the Senate as the Assistant Secretary of Commerce for Communications and Information and Administrator of the National Telecommunications and Information Administration (“NTIA”).

Since leaving government in 2007 I have worked in the private sector as a board member, consultant, and advisor to companies and institutions with interests in domestic and international telecommunications and technology markets. However, I am appearing before you today in my personal capacity and my testimony and comments are my own.

At the outset, I would like to commend Chairman Blackburn and the Committee for undertaking the hard work of this reauthorization. In my experience, although NTIA is explicitly an Executive Branch agency - and once confirmed the Assistant Secretary serves at the pleasure of the President - the exercise of government authority in the service of the citizenry is most effective and accountable when there is an established clarity of mission agreed upon by both the administration and the sources of its funding in Congress. Regular re-authorization of executive branch agencies can provide that clarity. And I would be remiss if I didn't acknowledge the new Assistant Secretary - David Redl. A proud alumni of this Committee and, in my judgement, someone whose experience is particularly well suited to navigating executive branch equities while responding to the appropriate oversight of Congress.

This is my second opportunity to testify before this Committee on the subject of NTIA reauthorization. At last year's hearing the focus of my testimony was on the broad responsibilities of NTIA and its dual role as the principal advisor to the President on telecommunications policy, as well as the manager of the federal government radio spectrum. Because of the demands of this dual responsibility NTIA has developed a specialized technical competency that provides expertise to policy-makers across the government with interests in technical matters from spectrum science, to Internet Governance, to the broadband economy. But in addition to this technical expertise, NTIA has developed a valuable expertise in coordinating inter-agency equities in the service of broader government priorities. I

believe that it is this inter-agency policy coordination function that is most relevant to the draft legislation under consideration.

While the legislation being considered covers a broad range of issues before NTIA – and I will endeavor to answer any questions on these subjects – for purposes of time I will focus my testimony on those sections of the legislation with which I feel my experience is most relevant.

SEC. 102. Broadband Inventory Map and SEC. 202. Establishment of the Office of Internet Connectivity and Growth

From time to time, NTIA has been granted authority to administer large scale infrastructure grant programs intended to advance access to communications networks for underserved communities. These are sometimes targeted and limited in scope - as in the PSIC public safety grant programs – and sometimes more widespread – as in the Broadband Technology Opportunities Program (“BTOP”). However, in each instance NTIA was required to coordinate with institutions across the government for either execution or measurement of the effectiveness of the program.

This experience should enable NTIA to effectively coordinate the Broadband Map as well as the Office of Internet Connectivity and Growth. One of the challenges in effectively distributing broadband infrastructure funds is accuracy in measuring the

extent to which broadband networks are already being deployed by market participants. Scarce resources should be deployed where there are actual gaps in coverage, rather than in competition with private capital. Because different government agencies gather information in different formats and from different sources, it makes sense to have a single repository for all of this information that can be synthesized into a format that can be consistently applied and relied upon by various grant and loan issuing agencies across the government. NTIA has the experience and personnel to perform these functions.

SEC. 104. Sense of Congress on CyberSecurity Threats and Supply Chain

Vulnerabilities

With regards to the sense of the Congress on cyber-security and supply chain vulnerabilities, NTIA is particularly well-suited to engage in these important matters that cut across commercial interests as well as important government equities. By providing the perspective of industry into the inter-agency process, NTIA can help bridge the gap between the executive branch interests with national and homeland security responsibilities and key private sector interests so that they all support our collective cyber-defenses. Similarly, NTIA can serve as a conduit from government agencies with cyber responsibilities to the private sector to ensure that information flows in both directions to maximum affect.

In addition, from it's position within the Department of Commerce NTIA has access to the broad resources of the International Trade Administration and the Bureau of

Industry and Security on supply chain matters that implicate our trade agreements or the intersection of national security and high technology.

SEC. 105. Sense of the Congress on Preservation of Domain Name System and WHOIS Service

The collection and availability of accurate WHOIS data is a foundational feature of the Domain Name System. In fact, as far back as 1982 a WHOIS requirement was included as a directory for the ARPANET – the government precursor to the Internet. And WHOIS requirements were included in every Memorandum of Understanding between NTIA and ICANN from 1998 to 2016. With the transition of the IANA contract “timely, unrestricted, and accurate WHOIS” remains a feature of ICANN’s processes through Registration Directory Service (RDS) obligations.

The sense of the Congress underscores the important role WHOIS has played for law enforcement, intellectual property protection, and cyber-security. Historically, NTIA has been the USG entity in charge of protecting WHOIS obligations through its oversight of ICANN. With the transition of the IANA contract in 2016 ICANN remains U.S.-based and subject to U.S. laws. NTIA is the proper repository for the policy coordination and advocacy before ICANN and is the best suited agency to represent US equities.

Again, I appreciate the opportunity to testify before you this morning, and I will remain available to the Committee as you consider the authorization of this important agency. I will be happy to answer any questions.

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