OPEN GOVERNMENT PLAN 2024-2026

U.S. Department of Commerce

Email: open@doc.gov Website: <u>https://www.commerce.gov/opog</u>

Version: 8.0

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INTRODUCTION

The 2024-2026 Open Government Plan reflects the Department of Commerce's (Department)'s steady commitment to integrating the open government principles of transparency, participation, and collaboration into the Department's core mission, and how it will continue to advance this goal in the future. This Open Government Plan version 8 includes the updated efforts of the Department's distinct operating units to improve our operations and services in an open and transparent manner.

This plan provides an overview of the Department's 2022-2026 Strategic Plan as 2030 Planning is underway, including the status of programs and the assessment of functional areas, which are critical to Open Government. To learn more, follow us on social media at <u>Facebook</u>, <u>YouTube</u>, <u>X</u>, and <u>Flickr</u>.

Visit the Open Government Plan for updates.

What's New

The 2024-2026 Plan includes updates to existing bureau and operating unit initiatives, projects, and programs including any new initiatives. For example, new initiatives like the United States Patent and Trademark Office's (USPTO) <u>Women Entrepreneurs MENTEE Pilot</u> <u>Program</u>, a cooperative effort bringing together mentors and mentees to encourage community building and the empowerment of women inventors and entrepreneurs, and the International Trade Administration's (ITA) <u>Trade Agreements Secretariat (TAS) E-filing</u> <u>System</u> that provides dispute participants, government officials, and members of the public with timely access to appropriate dispute documents. Also, new in this Plan is a section on Department-wide commitments (see NOAA's Commitment US0113: Expand the Production, Dissemination, and Use of Equitable Data and Commitment US0116: Broaden Public Access to Federally Funded Research Findings and Data below) that align with some of the themes highlighted in the Fifth Open Government National Action Plan. We have also included more descriptive links that get to additional information faster.

Background

The Open Government Directive (M-10-06) describes specific actions federal agencies must take to increase transparency, participation, and collaboration in government, and established a requirement for agency publication of an Open Government Plan. Since 2010, the Department has regularly updated its Open Government Plan, establishing its commitment to implementing the principles of open government. Today, the Department continues to uphold the principles through Departmental and agency projects and initiatives that align with its mission to create the conditions for economic growth and opportunity for all communities.



Program Oversight & Open Government Senior Leaders

The Department carries out its programmatic responsibilities through its <u>operating units</u>. Each of these operating units, through their distinct missions, contributes to the Department's overall objective of promoting economic growth for the nation and providing opportunities for all Americans. These operating units are driving Open Government through a wide range of projects and initiatives highlighted in this Plan.

The Department's Director of Open Government continues to provide direction and oversight to the Open Government Senior Leadership (OGSL) group. The OGSL group was established in March of 2010 to promote the integration of Open Government principles into their programs and business lines. In 2024, through its designated points of contact, the OGSL group is charged with continuing to develop and implement best practices and procedures for sharing and providing public access to information, while ensuring appropriate protections for confidentiality, privacy, national security, as well as other restrictions that may be required by law.

The Department of Commerce's mission is to create the conditions for economic growth and opportunity for all communities.

Department of Commerce Strategic Plan 2022-2026

Innovation, equity, and resilience are the concepts that drive the Department's work and are outlined in the <u>Department's Strategic Plan 2022-2026</u>. These concepts provide a broad foundation for economic growth and opportunity by focusing on five (5) goals:

- Drive U.S. Innovation and Global Competitiveness
- Foster Inclusive Capitalism and Equitable Economic Growth
- Address the Climate Crisis Through Mitigation, Adaptation, and Resilience Efforts
- Expand Opportunity and Discovery Through Data

Provide 21st Century Service with 21st Century Capabilities

Transparency, collaboration, and participation are inherent in the vision laid out in the Department's Strategic Plan. The Department and its operating units work together to drive progress in the five (5) goals and priorities identified above.

The Strategic Plan emphasizes that the foundation of the Department's goals is data. Data is what American businesses and communities use to plan investments and identify growth opportunities. Whether it is the International Trade Administration (ITA) determining which foreign markets to target, the Economic Development Administration (EDA) understanding a regional economy, the National Oceanic and Atmospheric Administration's (NOAA) weather and climate data helping predict severe events and enabling weather forecasts, or the National Institute of Science and Technology (NIST) data and models catalyzing advanced manufacturing, the Department's data enables the setting of conditions that enable economic growth. The Department's data enables start-ups, moves markets, protects life and property, and powers both small and multibillion-dollar companies. The Bureau of Economic Analysis (BEA) produces estimates of Gross Domestic Product (GDP), a key indicator of the health of the economy. The Census Bureau carries out the constitutionally mandated decennial census, which determines the allocation of billions of federal dollars for states and the drawing of Congressional districts. Data is not only a means of advancing trade, innovation, and environmental goals, it is also a national asset with untapped potential.

Open Government National Action Plan

The Fifth Open Government National Action Plan (NAP) includes five key commitments to increase the public's access to data to better advance equity, engage the public in the regulatory process, make government records more accessible to the public, and improve the delivery of government services and benefits. Below are examples of some Department-wide activities that align with some of the key themes highlighted in the NAP:

NAP Theme: Improve Access to Government Data, Research, and Information

Commitment US0113 - Expand the Production, Dissemination, and Use of Equitable Data. In July 2023, NOAA engaged the public via a <u>Request for Information (RFI)</u> to spark change within NOAA so that the agency can better respond to the climate resilience needs of all communities and take concrete action to build capacity and provide technical assistance for a broader set of users and resilience practitioners. Thirteen listening sessions and over 1,300 comments later, NOAA gathered a better understanding of what climate services are needed and gaps in accessing, understanding, and using NOAA's data, information, tools, and services. The end result is the first ever <u>NOAA Equitable Climate Services Action Plan</u>, published May 2024. NOAA will be executing this Action Plan over the coming years, with an expected completion in 2026.

 Commitment US0116 - Broaden Public Access to Federally Funded Research Findings and Data. NOAA, in response to the August 2022 <u>OSTP memo on "Ensuring</u> <u>Free, Immediate, and Equitable Access to Federally Funded Research"</u>, is developing an updated *NOAA Public Access to Research Results (PARR) Plan*. (The <u>current</u> <u>NOAA PARR Plan</u> is dated 2015.) The target completion and delivery date to OSTP is December 2024. The updated PARR plan is also the impetus for the development of a new NOAA Administrative Order (NAO) to establish NOAA's policy to ensure free, immediate, and equitable public access to NOAA Research and Development (R&D).

NAP Theme: Transform Government Service Delivery

 Commitment US0125 - Transforming Federal Customer Experience and Service Delivery. In June 2024, NOAA established the Digital Engagement and Transformation Program (DETP). The DETP will promote a positive external customer experience across NOAA's vast web presence, data assets, and other communication channels by prioritizing access to and understanding of NOAA's critical mission areas through a digital-first lens.

PLAN COMPONENT UPDATES

Open Data

Known as America's data agency, the Department of Commerce is home to nearly 100,000 datasets that include weather and satellite data, broadband frequency, trade information, and demographic surveys. The Department's commitment to improving public access to this data is enshrined in its



strategic plan, which includes a goal to "expand opportunity and discovery through data."

To drive towards this goal, the Department has refreshed the Commerce Data Inventory and developed a new <u>Inventory website</u> where users can "Explore, View, and Connect" with Commerce data in one place. This information is automatically updated weekly. We also ensure that this information is regularly and accurately published to <u>Data.gov</u> for broad public consumption. The site also supports Commerce's strategy to enable more efficient data access, analysis, and discoverability and to comply with the requirements of the <u>Evidence Act of 2018</u> and the <u>Open Data Policy</u>.

In addition, the Department of Commerce has kicked off an initiative to improve the interpretability of Commerce's public data by artificial intelligence (AI) systems. The Commerce Data Governance Board established the <u>AI and Open Government Data Assets</u> <u>Working Group</u> in 2023 to establish guidelines and best practices for disseminating AI-ready open government data. The Working Group, comprised of members across all bureaus within

the Department, will publish the guidelines by the end of 2024 using research from interviews, <u>convenings</u>, and a <u>public Request for Information (RFI)</u>.

For more information on Open Data at the operating units, please visit:

- BEA's Support of Open Data | U.S. Bureau of Economic Analysis (BEA)
- BIS statistics | BIS Data Portal
- <u>Census Bureau Open Data</u>
- International Trade Administration Open Data
- National Institute of Standards and Technology
- <u>National Oceanic and Atmospheric Administration</u>
- National Telecommunications and Information Administration
- National Technical Information Service
- U.S Patent and Trademark Office

Proactive Disclosures

The Department complies with the Attorney General's 2022 FOIA Guidelines emphasizing that "proactive disclosure of information is fundamental to the faithful application of the FOIA." The guidelines direct agencies to post "records online quickly and systematically in advance of any public request" and reiterate that agencies should post records "in the most useful, searchable, and open formats possible." The PAL Electronic FOIA Library provides the Department's operating units with a centralized location to post information released under the FOIA. In addition, many of the Department's operating units independently post and maintain their respective <u>Electronic FOIA Libraries</u>, allowing each to post information for public release.

Privacy

The Department assigns high priority to privacy considerations for all systems and programs. It recognizes that individual trust in the privacy and security of personally identifiable information (PII) and business identifiable information (BII) is the



foundation of trust in the government and the Department in the 21st Century. As an employer, a collector of data on millions of individuals and companies, the developer of information-management standards, and a federal advisor on information management policy, the Department strives to be a leader in the best privacy practices and privacy policy.

OMB Memorandum M-13-13, *Open Data Policy–Managing Information as an Asset*, requires federal departments and agencies to review information assets for privacy, confidentiality, security, or other restrictions on information released. The Department has a robust privacy program charged with assisting the Department and its operating unit's Chief Information Officers (CIOs) with meeting this requirement. The necessary balance between the "presumption in favor of openness" and the duty to protect and safeguard PII and BII is well

understood. The Department's Office of Privacy and Open Government (OPOG) works with the Office of the General Counsel, CIO, and across operating units to ensure that information is appropriately secured to prevent information loss or erroneous release.

Authorities and requirements for the Department's Privacy Program are posted at <u>Privacy</u> <u>Laws, Policies and Guidance | U.S. Department of Commerce</u>. The Department operates under its own Privacy Act regulations at <u>15 CFR part 4, Subpart B</u>.

In 2024, the Department's Privacy Program began updating its <u>Breach Notification Plan</u>, which describes the Department's response to PII incidents, and its Privacy Program Plan, which outlines the Department's privacy program structure, goals, and how it manages risk.

Whistleblower Protection

The Whistleblower Protection Program remains critical to ensuring transparency in government operations. The employees of the Department and its contractors, subcontractors, and grantees perform an important service by reporting what they reasonably believe to be evidence of wrongdoing, and the Department does not tolerate retaliation against whistleblowers. Both the Department and operating units continue to ensure, in consultation with the U.S. Office of Special Counsel (OSC), that employees are informed of their rights and remedies under the prohibited personnel practices and whistleblower retaliation protection provisions of Title 5.

The Whistleblower Protection Act of 2017 provides additional protections to federal employees who are retaliated against for disclosing waste, fraud, and abuse by increasing protections for federal employees, increasing awareness of federal whistleblower protections, and increasing accountability and requiring discipline for supervisors who retaliate against whistleblowers.

The Department's Whistleblower Protection Coordinator within the Office of the Inspector

General (OIG) is charged with educating Department employees about their rights and pathways to reporting and educating Department employees about prohibitions on retaliation for whistleblowing, as well as their rights and remedies if anyone retaliates against them for making a protected disclosure.



The provisions of the Department's nondisclosure policies, forms, and agreements are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive Order relating to (1) classified information; (2) communications to Congress; (3) the reporting to an Inspector General or the Office of Special Counsel of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive

Orders and statutory provisions are incorporated into the Department's nondisclosure agreements and are controlling. Visit the <u>OIG website on the Whistleblower Protection</u> <u>Program</u> for information on the executive order and statutory provisions.

Websites

The Department leverages numerous digital experiences across the agency to promote Open Government, including <u>websites</u>, email, social media, and text. A Departmental Digital Experience (DX) Council, an evolution of the former Website Advisory Council (WAC), ensures policies are in place to support the delivery of digital-first public experiences in



accordance with Public Law 115-336, the *21st Century Integrated Digital Experience Act*, and the accompanying detailed guidance in OMB Memorandum M-23-22, *Delivering a Digital-First Public Experience*. The Department engages digital experience practitioners across the agency through multiple internal digital engagement touchpoints, including a Digital

Experience (DX) Hub, a collaboration space for reporting, requirements, policy, resources, best practices, and more, along with an existing intranet site of information from the former Website Advisory Council. The Department DX Council continuously reviews and updates its digital experience policies to best align with Federal requirements and continuously assesses performance in line with guidance and best practices.

Open Innovation Methods

As a leader in innovation, the Department is investing in innovation ecosystems by incentivizing partnerships between industry, institutions of higher education, nonprofits, and Federal, state, and local governments to promote a seamless innovation pipeline. We are supporting the establishment of a collaborative, equitable, and effective innovation ecosystem by prioritizing investments in its people, infrastructure, technology, supply chains, and the data that enables innovation.

The Department is placing increased emphasis on the commercial opportunities of space exploration and aquaculture, while our scientists are conducting foundational research in areas ranging from artificial intelligence to quantum computing. The USPTO is working to improve the protection of IP so creators can profit from their inventions. Our operating units continue to provide opportunities for employees, organizations, and communities in the private sector, nonprofit, and academic communities to develop ideas, technologies, products, and services.

The Department fosters the innovation and invention that underpins the U.S. comparative advantage. In keeping with the broader national effort to ensure broad public access to the fruits of federally funding research and development, Department scientists are conducting research on emerging technologies such as quantum computing and artificial intelligence (AI) and disseminating the results of <u>those efforts</u>. Companies are leveraging NIST and NTIA laboratories to conduct research and development. Additionally, the Department is putting in

place mechanisms to share information on data and research on critical emerging technologies such as artificial intelligence through its participation in the <u>National AI Research</u> <u>Resource pilot</u>.

Access to Scientific Data and Publications

The Department and its operating units conduct and sponsor research on a wide variety of topics, ranging from research on weather forecasts and earlier warnings for natural disasters, to research on capital access for minority-owned businesses. Operating units publish their research on their websites, as well as in research journals, and various research publication vehicles. Historically, few operating units, for example NIST, have research budgets that are above the \$100 million threshold established by the White House Office of Science and Technology Policy (OSTP). Those operating units address this requirement in their designated section of this document.

Open-Source Software

The Department's <u>Source Code Policy</u> promotes software code reuse by making customdeveloped Federal source code available across the Department and to other Federal agencies. It supports the requirements of OMB Memorandum M-16-21, "Federal Source Code Policy: Achieving Efficiency, Transparency, and Innovation through Reusable and Open-Source Software." Each operating unit must register all new custom source code in the Department Software Code Inventory. Additionally, the Department uses <u>GitHub</u> to share code and content in the spirit of collaboration and open government.

Spending Information

The Department continues to regularly post contracts, grants, loans, and other types of spending across the operating units on the <u>USAspending.gov</u> website. The data available on USAspending.gov are provided by the Federal Assistance Awards Data System (FAADS) and the Federal Procurement Data System (FPDS).

ONGOING INITIATIVES

Participation in Transparency Initiatives

In 2024, over 187,000 Department datasets are publicly available in the data.gov catalog. Additionally, the Department continues to improve transparency by proactively participating in and posting its information publicly at <u>IT Dashboard</u>, <u>USAspending.gov</u>, and the <u>Commerce</u> <u>Data Hub</u>. The Department fully participates in eRulemaking and all operating units at the Department use regulations.gov to post proposed and final regulations and to receive comments from the public. In addition, the Department has a representative from the Office of the General Counsel (OGC) on the Advisory Board for eRulemaking who attends eRulemaking meetings and ensures the Department's view are considered as eRulemaking participants propose and evaluate potential improvements to the <u>regulations.gov</u> and fdms.gov websites. In addition, the Department has a representative from the Office of the Chief Information Officer on the Executive Steering Committee for eRulemaking who votes on how the contributions to the eRulemaking budget should be divided among the participating agencies. The Department relies on eRulemaking staff to keep the public abreast of new developments and improvements to <u>regulations.gov</u>, which is the primary mechanism by which the public can access and submit comments on regulatory actions from across the federal government.

Public Notice

The Department routinely informs the public of its activities and business through public meetings with livestreams, stakeholder meetings, and numerous technology-enabled public

engagement forums that promote transparency, participation, and collaboration. The Department's Office of Public Affairs (OPA) specifically focuses on outreach efforts, ensuring effective two-way communications with the public about the Department's services. Also, the Department is working through the operating units to enable outreach to the appropriate communities of



practice and interest (COPs/COIs) within the various business lines. Public notices about Department-wide meetings and system of records notices are regularly published in the Federal Register. Additionally, the Department and operating units share upcoming event calendars and notice of federal advisory committee meetings on their websites.

Records Management

The Department and its operating units use the National Archives and Records Administration (NARA) General Records Schedule (GRS) whenever possible for records disposition instructions. The Department's Chief Information Officer develops and establishes Department policy and standards to implement a Department Records Management Program and works with NARA to ensure records are maintained for future use.

The Department transfers permanent records per <u>M-23-07</u>, *Update to Transition to Electronic Records* (dated December 23, 2022), of historical or archival value, to NARA. This helps in achieving NARA's mission to protect the rights of all Americans to drive openness, cultivate public participation, and strengthen our Nation's democracy by ensuring unhindered citizen access to public information and archival documents.

Freedom of Information Act (FOIA) Requests

In 2023, the Department successfully implemented a new FOIA case management system,

improving its capacity to process and respond to FOIA requests in a timely manner. FOIA requesters may submit requests directly through the Department's <u>FOIA Public Access Link (PAL)</u> <u>website</u> upon creation of a PAL account. The PAL website also allows requesters to track the status of existing requests as well as download any records



responsive to their request upon release. Additionally, the Department's FOIA professionals can search and review records for release using the features and a module native to the new FOIA case management system. Through this technological resource, the Department has further integrated a presumption of openness, strengthened our response processes, and improved customer service. Additionally, in 2024, the Department began drafting a Department-wide backlog reduction plan with input from each operating unit. The Department expects to implement a backlog reduction plan in FY25.

The Department posts its FOIA Annual Report, Quarterly reports, and its Chief FOIA Officer reports in compliance with the statute and guidance from the U.S. Department of Justice's Office of Information Policy. The <u>Department's and USPTO's</u> FOIA regulations are published in the Federal Register. Additionally, the Department's <u>FOIA Reference Guide</u> provides FOIA requesters with the specific procedures for making a FOIA request to the Department, including descriptions of the types of records maintained by different parts of the Department, some of which are readily available through means other than the FOIA.

FOIA contact information, links to FOIA reports, and other details related to FOIA can be found on the Department's FOIA webpage at <u>Office of Privacy and Open Government | U.S.</u> <u>Department of Commerce</u>.

Congressional Requests

The organizational structure and administrative instructions are described in the Department's <u>Directives</u>. Department Administrative Order (DAO) 218-2 describes the policies and procedures for responding to Congressional and Intergovernmental inquiries and outlines other procedures for the Office of Legislative and Intergovernmental Affairs (OLIA). The OLIA supports the Secretary of Commerce on matters pertaining to legislative issues, congressional relations, and on the Department's relationship with state, county, municipal, and tribal governments and their associations.

Declassification

The Department is a non-Title 50 agency. Information regarding classification management at the Department, including the Mandatory Declassification Review (MDR) process, may be found at <u>Classification Management | U.S. Department of Commerce</u>.

Public Participation

Promoting opportunities for public participation in decision-making processes is critical for the Department to achieve its strategic goals. The Department continues to engage with the public and private sectors in a variety of ways and for a variety of reasons. The operating units actively use their websites, meetings, conferences, social media, Federal Register notices, public forums, focus groups, civic hackathons, and extensive outreach programs to ensure the public, private, and government participation is fulfilling the Department's mission.

The Department has sixty-six (66) <u>Federal Advisory Committees</u> whose members ensure public and expert involvement and advice in the Department's decision-making. Additionally, the public can engage with the Department through platforms such as <u>Regulations.gov</u>.

Collaboration

The Department and its operating units continue to build partnerships with Federal and non-Federal governmental agencies, the public, non-profit, and private entities in fulfilling Department's core mission activities. The best way to find out about Department partnerships is to visit <u>News | U.S. Department of Commerce</u>, as well as operating unit websites. Here are a few links that provide information about existing collaboration efforts and partnerships:

- Home | BroadbandUSA
- <u>Census Partners</u>
- <u>Collaborations and partnerships | National Oceanic and Atmospheric Administration</u>
- <u>Strategic Partnership Program</u>
- Global Business: Strategic Partners | Minority Business Development Agency
- Technology Partnerships Office | NIST

Flagship Initiatives

The Department has highlighted many outstanding high-profile projects and initiatives across its operating units since the first publication of the Open Government Plan. In this Plan, we highlight MBDA's Information Clearinghouse and NIST's Research Data Framework.



The information clearinghouse is designed to be a public online repository of data and research and will give members of the public open access to research, reports, and analysis from MBDA and other trusted sources.



On February 8, 2024, the National Institute of Standards and Technology (NIST) released <u>Version</u> <u>2.0 of the NIST Research Data Framework (RDaF).</u> Among other things, RDaF helps organizations

increase research integrity with quality data and improved transparency of the research process.

BUREAU AND OPERATING UNIT UPDATES, NEW PROJECTS, AND INITIATIVES



Office of the Inspector General (OIG)

The OIG's mission is to improve the efficiency and effectiveness of the Department's programs and operations through independent and objective oversight, as provided in the Inspector General Act of 1978, as amended (IG Act). The findings from our audits, evaluations, and inspections help the Department improve its programs and operations as well as prevent or detect fraud, waste, or abuse. In addition, the OIG is authorized to carry out investigations, which can include criminal, civil, and administrative matters.

OIG Open Government initiatives contribute to the Departmental Open Government plan by ensuring that the principles of transparency and collaboration are incorporated into OIG policies and operations. As part of these efforts, certain positions are designated with Open Government commitments and responsibilities. These positions include the OIG Records Officer, the OIG Freedom of Information Act (FOIA) Officer, and positions within the Office of the Chief Information Officer (OCIO). Of note, the OIG supports transparency and collaboration by routinely posting announcements, significant correspondence, audit and evaluation products, and, as appropriate, investigative content to the OIG's public-facing website.

OIG personnel also regularly review the website to ensure that content is easily accessible, including that all OIG products are compliant with Section 508 of the Rehabilitation Act. In addition, the OIG uses the Department's new FOIAXpress system to efficiently process public requests for information, which enables the bureau to track FOIA requests, to improve coordination with Department stakeholders and FOIA requesters, and to ensure timely responses to requests for records. The OIG's FOIA group has also started using Relativity software for FOIA requests, which will further improve the OIG's efficiency in its processing and collaboration with other Department operating units.

The OIG also supports Open Government activities by continuing to improve records management policies and processes and by regularly reviewing OIG records management schedules and Systems of Records Notices (SORNs) for accuracy. The OIG updated its SORN for investigative records and implemented a new SORN to inform the public about information collected, retained, and/or disseminated as part of its data analytics work. The OIG Records Officer conducts annual training for staff and updates an internal website to increase

awareness of records management responsibilities. In addition, the OIG FOIA staff also provides periodic training to the agency personnel on FOIA obligations.

Privacy

The OIG OCIO continues to prepare compliance reports, such as those required under FISMA, and update its standard operating procedures to improve OIG network infrastructure, while meeting Departmental requirements. The OCIO actively participates in reviews of the Departmental privacy controls implementation approach in conjunction with NIST. The OIG Security Officer monitors and responds to cybersecurity incidents as needed. The OIG also reviews the OIG Privacy Impact Assessment on an annual basis to ensure compliance with Departmental requirements. The PIA is also reviewed when a new information system is being designed for implementation on the network. Lastly, the Office of Administration provides access to training for new employees during the on-boarding process and annual computer-based training. These actions all help to protect the personal information maintained by the OIG and improve services to OIG stakeholders, both internal and external.

Whistleblower Protection

In accordance with 5 U.S.C. § 2302(c), the OIG informs individuals of their rights and remedies under the prohibited personnel practices and whistleblower retaliation protection provisions of Title 5. The OIG's website includes a separate Whistleblower Protection Act of 1989, as amended, the Whistleblower Protection Enhancement Act of 2012, the OIG's Whistleblower Protection Coordinator, how to file whistleblower reprisal complaints, and whistleblower protection agency certification. The page includes the contact information for the Whistleblower Protection Coordinator. The Coordinator's role is to educate Department and OIG employees about prohibitions on retaliation for protected disclosures and inform agency employees who have made or are contemplating making a protected disclosure about the rights and remedies against retaliation for protected disclosures. As part of this role, the Coordinator provides training sessions, posts informational posters at agency facilities, and develops brochures for employees as part of the orientation process. More information is available at the OIG website.

Websites

The OIG's website is accessible by a link on the Department's public-facing homepage and directly at <u>www.oig.doc.gov.</u> The website displays a variety of information about the OIG and includes a menu at the top of the page, allowing visitors to readily access various topics of interest. The website provides access to downloadable PDFs of public audit and evaluation reports, audits initiated, correspondence, and congressional testimony, as well as publicly available information on OIG investigative activities. The OIG maintains processes to ensure that all OIG products posted to its website comply with Section 508 of the Rehabilitation Act of 1973 in order to make these materials accessible to individuals with disabilities, and the agency is working to ensure that the entire website is Section 508 compliant. The website includes a FOIA reading room, as well as information on how to make a FOIA request. The website also has a "Contact Us" page to encourage communications from Commerce employees, members of the public, and the media. The OIG periodically reviews the usability

of its website by analyzing the results of workgroup studies and by being an active member of the Departmental Web Advisory Council.

Transparency

The concept of transparency is well established in OIG routine processes and policies. In accordance with the IG Act, the OIG publishes a Semi-Annual Report to Congress twice yearly to keep Congress and the public informed about OIG activities. To promote accessibility, the report is also published on the OIG website. The OIG also publishes an annual "Top Management Challenges" report to address what the OIG deems to be the most serious management and performance challenges facing the Department. The Top Management Challenges report is published on the OIG website. Finally, the OIG keeps the public informed about the office by posting to OIG's official X (formerly Twitter) and LinkedIn accounts.

Public Notice

The OIG uses its X and LinkedIn accounts to publicize work products, activities, and job vacancies. Using social media helps support transparency, collaboration, and participation as the OIG is able to increase its outreach to stakeholders and the public. The OIG website is also used to provide the public with information about the OIG, including notice of recently released reports through a prominent "Recent Releases" section on the site.

Records Management

The OIG Records Management Program aims to improve the agency's records management processes by updating records management policies and OIG disposition processes. Since April 2020, the OIG has used its CAPSTONE plan for effectively managing email for record keeping purposes. NARA recently re-approved the OIG Capstone plan in 2024 as part of NARA's regular review cycle. By improving the management of email records and by regularly examining and improving its records management policies, the OIG aims to improve customer service and serve the objectives of Open Government.

The OIG Records Officer routinely participates in the Federal Records Officer Network, NARA's Electronic Records Management Automation Working Group/Microsoft 365 User Group, and Bi- monthly Records and Information Discussion Group, and is the co-chair for the Council of the Inspectors General on Integrity and Efficiency Records Administration Group. These activities support the Open Government activity of collaboration. The OIG Records Officer engages in speaking at public forums to educate the public on federal government records retention and dissemination and sits on the Educational Advisory Committee for Digital Government Institute Conferences. The Records Officer also provides regularly scheduled training for OIG staff to ensure OIG records are maintained in accordance with NARA's directives.

Freedom of Information Act Requests

The OIG operates a FOIA program that is primarily electronic based, to optimize efficiency in public access to OIG records and to reflect a presumption of openness and ease of access. Each FOIA request is entered into and tracked in the Department's FOIAXpress system, and

responses are sent via email directly to requesters. The OIG website provides more information on the OIG FOIA program. To provide access to frequently requested records that were not otherwise publicly posted, the OIG maintains a FOIA electronic reading room on its website.

Proactive Disclosures

The OIG regularly proactively discloses items on its website that provide insight into OIG activities, such as Semi-Annual Reports to Congress, Office of Audit and Evaluation reports, the OIG Top Management Challenges report, and congressional testimony. The OIG also uses social media to highlight recent and/or future OIG activities via X and LinkedIn. As noted above, the OIG FOIA Officer routinely reviews FOIA requests to identify frequently requested records for proactive posting.

Congressional Requests

The OIG's Senior Legislative and External Affairs Officer leads the OIG's process for triaging congressional requests, which are typically received directly from the congressional member or committee offices. Upon receipt, the Senior Legislative and External Affairs Officer coordinates with OIG leaders and offices to determine the appropriate response. Products intended for external release undergo OIG's clearance process, and the final product is delivered to the requester by the Senior Legislative and External Affairs Officer, who also is responsible for coordinating briefings for Members and their staff.

Declassification

The OIG follows the Department's "Manual of Security Policies and Procedures" for security of Commerce information. New employees also receive briefings from the Department's Office of Security, and existing employees receive regularly scheduled training through the Department regarding the handling of classified information, including declassification procedures. The OIG does not have original classification authority.

Public Participation

The OIG promotes public participation in its processes by encouraging reports of fraud, waste, and abuse on its public-facing website. OIG officials also conduct outreach through various means to expand public awareness of the OIG's role and responsibilities.

Collaboration

The OIG will continue to utilize its X and LinkedIn accounts to provide information about the OIG and its mission to members of the public and other stakeholders. The OIG also provides access to its hotline contact information on all of OIG's public-facing platforms.



Bureau of Economic Analysis (BEA)

BEA is one of the world's leading economic statistics agencies. BEA produces some of the Nation's most closely watched economic indicators, influencing decisions made by government officials, businesses, and households. BEA's economic data, which provide a comprehensive, up-to-date picture of the U.S. economy, are key ingredients in critical decisions affecting monetary policy, tax and budget projections, and business investment. The cornerstones of BEA's statistics are the national income and product accounts (NIPAs), which feature estimates of GDP and related measures.

In 2000, the Department of Commerce recognized GDP as its greatest achievement in the 20th century, and GDP has been identified as one of the three most influential measures affecting U.S. financial markets. Since the NIPAs were first developed in the aftermath of the Great Depression, BEA has developed and expanded its statistical offerings to cover a wide range of economic activities.

Today, BEA produces national, regional, industry, and international statistics that provide essential economic information on key issues, such as economic growth, regional economic development, inter- industry relationships, and America's position in the world economy. BEA delivers trusted and innovative economic statistics that keep pace with the global economy and the needs of the American people.

Transparency and openness have long been hallmarks of BEA. BEA publishes all data, <u>research, and publications</u> on its website <u>www.bea.gov</u>, along with detailed <u>methodology</u> <u>papers</u> that explain how BEA computes the Nation's key economic indicators as well as its other economic data. The Bureau makes its <u>subject matter experts</u> directly available to the public, with names and phone numbers published online.

Additionally, to ensure transparency, prior to implementing changes to presentations or methodologies, BEA announces and conducts outreach to stakeholders through webinars and other virtual sessions, in-person briefings, data workshops, conference calls, presentations at conferences, and social media to explain the changes and solicit input on the impact of the changes on data users. As a 2011 New York Times story notes, "The Bureau of Economic Analysis, an arm of the Commerce Department emphasizes transparency and is uncommonly open to public questions." The Bureau is continuously exploring ways to further increase openness and transparency regarding its processes and products and devotes substantial resources to educate the public about its data. In recent years, BEA has continued

to add to or improve the data retrieval tools on the BEA website, making BEA's vast stores of data more accessible, consumable, and shareable.

Open Data

BEA's mission is to promote a better understanding of the U.S. economy by providing the most timely, relevant, and accurate economic accounts data in an objective and cost-effective manner. Open data is central to this mission.

BEA's <u>Open Data</u> webpage provides access to BEA's downloadable datasets, online tools, and a public listing of all datasets currently available on the BEA website. This listing includes datasets from all economic program areas of the Bureau, and the various formats in which data are available including interactive web applications and flat, downloadable files. BEA also makes its data available on the <u>Commerce Data Hub</u> on the Commerce Department's website.

BEA's website makes datasets available for download either as static files or via various interactive web applications, such as the Interactive Data Tables, Industry Facts tool, BEA Regional Fact Sheet tool and Country Facts tool. BEA's topic-driven website provides an intuitive user experience and information architecture centered on the BEA's data products. Additionally, BEA publishes a blog and uses social media to further support its efforts to promote data releases, highlight new data offerings, provide insight into its data products, and deepen the public's understanding of the U.S. economy through BEA's economic statistics.

Proactive Disclosures

As a data-producing agency, BEA proactively publishes or otherwise makes available all data, research, reports, and publications allowable under Federal law or regulation. BEA only restricts access to company confidential, embargoed, or other information protected by Federal law or regulation.

Privacy

BEA views privacy and confidentiality of data as paramount, particularly given the vital trust our mission demands from businesses that provide their confidential data to BEA. In addition to standard privacy and confidentiality protections in statute, BEA is subject to the requirements of the Confidential Information Protection and Statistical Efficiency Act and the International Investment and Trade in Services Survey Act, both of which extend additional civil and criminal penalties for violations of confidentiality. <u>Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA);</u> International Investment and Trade in Services Survey Act, both of which extend additional civil and statistical Efficiency Act of 2002 (CIPSEA); International Investment and Trade in Services Survey Act, so the statistical Efficiency Act of 2002 (CIPSEA); International Investment and Trade in Services Survey Act (22 U.S.C. § 3101-3108, as amended).

The <u>BEA Web Privacy Policy</u> page hosts links to DOC's Privacy Act and Freedom of Information Act pages. BEA's website also features a section on <u>legal authority and</u> <u>confidentiality of international survey collections.</u>

Whistleblower Protection

A link to the <u>No Fear Act</u> is available on BEA's public website. The No FEAR Act (Notification and Federal Anti-Discrimination and Retaliation Act of 2002, which took effect on October 1, 2003) makes federal agencies individually accountable for violations of anti-discrimination and whistleblower protection laws. See the DOC No FEAR Act Policy, which dictates BEA policy.

Websites

BEA maintains one domain, <u>www.bea.gov.</u> Through this website, BEA provides access to its data, information about the data and the methodology used to produce the data, research papers, the data release calendar, a blog, social media and multimedia resources, as well as an open data portal. Through the website, the public can reach out to customer service, public affairs officers, and economic subject matter experts with questions or to seek help assessing or understanding BEA's data. Information about <u>BEA policies as well as DOC's digital strategy</u> is available on BEA's website.

Open Innovation Methods

The Bureau's website features a <u>Developers page</u> with various tools to assist programmers and researchers. For programmers, the BEA's data API provides programmatic access to BEA-published economic statistics using industry-standard methods and procedures. BEA's API includes methods for retrieving a subset of BEA's statistical data and descriptive metadata to make it easier for developers to write programs using the data.

BEA also offers resources in R and Python, described below in the Open Source software section of this report. These innovations simplify the use of BEA's data for those writing programs or conducting research and analysis, fostering innovation in these spheres. BEA has experts available to answer technical questions and questions about BEA's datasets.

Access to Scientific Data and Publications

As a data producing agency, BEA proactively publishes or otherwise makes available all <u>data</u>, <u>research</u>, reports, and <u>publications</u> allowable under federal law or regulation. BEA only restricts access to company confidential, embargoed, or other information protected by law. BEA's <u>scientific integrity</u>, <u>statistical integrity</u>, <u>data quality</u>, and other standards and practices policies, including <u>data dissemination</u>, are available on BEA's website.

Open-Source Software

Because the Open Source programming language R is widely used for statistical computing and graphics, BEA offers <u>Open Source tools</u> to make data more readily accessible. Users can Access BEA's GitHub repository to do even more with our data. With these tools, users can:

- Quickly and conveniently pull the latest data from the API using our <u>Python</u> and <u>R</u> packages.
- Search, analyze, and visualize data faster and in new ways.
- Convert data sets into the format users need.

 Replicate select BEA products and tailor them to user needs. (For instance, now users can find Open Source code and related documentation in GitHub to reproduce BEA's experimental measures of economic well-being and growth.)

Spending Information

The Department of Commerce coordinates DATA Act implementation (including the reporting of spending information) at the department management level for smaller operating units such as BEA.

Participation

BEA participates in <u>Data.gov</u>, <u>e-rulemaking</u>, IT Dashboard, and <u>USAspending.gov</u> initiatives, and publishes all data allowable under statute. Further, BEA publishes extensive documentation on methodology and procedures, recognizing that the highest level of transparency is necessary to fulfill our mission. Information about <u>BEA's budget</u>, <u>performance</u>, <u>strategic goals</u>, and objectives are available on BEA's public website.

Public Notice

<u>BEA's public website, bea.gov</u>, is the main platform for sharing information, collecting feedback, and providing opportunities for participation and collaboration with the public. BEA also publishes documents, including public notices, in the Federal Register. Information is also provided to the public via social media channels.

<u>Release dates and times for economic indicators</u> produced by BEA are posted in advance on the agency's website. BEA's statistical news releases also carry the day and time of the upcoming releases, and the time periods covered.

<u>The BEA Advisory Committee</u> advises the Director of BEA on matters related to the development and improvement of BEA's national, regional, industry, and international economic accounts, especially in areas of new and rapidly growing economic activities arising from innovative and advancing technologies. The committee also provides recommendations from the perspectives of the economics profession, business, and government. Meeting dates are published in advance in the Federal Register. Meeting materials are published in advance on the BEA Advisory Committee webpage on BEA's public website.

Further, with respect to changes in schedules, methodologies or other pertinent information, BEA follows the requirements of <u>OMB Statistical Policy Directives No. 3 and No.4</u>, outlining public notice requirements and <u>dissemination procedures</u> for statistical products.

Records Management

BEA's Administrative Services Division includes an Agency Records Officer who takes lead responsibility for ensuring that BEA complies with all applicable record retention and archival regulations. BEA records are managed throughout their lifecycle. BEA complies with the Managing Government Records Directive (OMB M-23-07). BEA follows National Archives and Record Administration (NARA) Bulletin 2013-02: Guidance on a New Approach to Managing Email Records and uses an approved General Records Schedule (GRS) 6.1: Email Managed Under a Capstone Approach. All transactions between BEA and NARA are conducted through the Electronic Records Archive (ERA).

Freedom of Information Act Requests

The Freedom of Information Act (FOIA) generally provides the public with a means to access Federal agency records. The Submit FOIA Request link on the <u>Contact Us</u> page of the BEA website connects the public to the Department's FOIA page. This page provides instructions on submitting requests either electronically through the Department's system or in paper form. Requests are coordinated by BEA's FOIA Officer. All BEA FOIA requests are reviewed and responded to as fully and promptly as possible and directed by Federal law and regulation.

Congressional Requests

BEA works closely with the Department's Office of Legislative and Intergovernmental Affairs to collect, coordinate, and distribute timely and accurate information related to BEA's congressional relations and activities. The BEA website's home page includes a link to <u>Information for Congressional Users</u>, providing quick-access resources for commonly requested information and data. <u>The Contact Us page</u> lists the name and contact information for BEA's Congressional Affairs point of contact.

Declassification

BEA does not have classification authority. BEA does, however, impose strict embargoes on public release of market-sensitive information until the specified date and time of release. Authority and procedures for data embargo are covered in OMB Statistical Policy Directives No. 3 and No. 4.

Public Participation

BEA actively reaches out to data users, survey respondents, and other stakeholders at meetings, conferences, workshops, and briefings both in person and virtually through video conferencing. This outreach is vital to guiding the direction of BEA's programs, including its open data initiatives.

<u>The BEA Advisory Committee</u> advises the BEA Director on matters related to the development and improvement of BEA's national, regional, industry, and international economic accounts, especially in areas of new and rapidly growing economic activities arising from innovative and advancing technologies. The committee also provides recommendations from the perspectives of the economics profession, business, and government. Meeting materials are posted in advance on BEA's website and meeting notices are published in advance in the Federal Register. Information also is provided to the public via social media channels.

BEA also receives guidance and advice from the <u>Federal Economic Statistics Advisory</u> <u>Committee.</u> Meeting materials are posted in advance on BEA's public website and meeting notices are published in advance in the Federal Register. Information is also provided to the public via social media channels.

Collaboration

BEA follows the Department's best practices for ensuring effective two-way communication with the public, ensuring openness and transparency.

BEA regularly cooperates with other Federal and non-Federal agencies, the public, and nonprofit and private entities to fulfill its mission. BEA sources input data from a spectrum of public and private organizations. It coordinates closely with other Federal statistical agencies through the Interagency Council on Statistical Policy.

Additionally, the Bureau is an active participant and a representative of the United States to the United Nations Statistical Commission, the Organization for Economic Cooperation and Development, and appropriate working groups of the International Monetary Fund. BEA also collaborates with the Nation's research community. As part of its work producing international trade and investment statistics, BEA collects company-specific data that must be kept confidential by Federal law. <u>Outside researchers can apply to use BEA's company data for their statistical research, under strict guidelines</u>. Those who are approved take an oath to safeguard the data as special sworn research consultants of BEA. These data may be accessed by authorized researchers through a secure facility. BEA also makes its confidential business data available through the Federal Statistical Research Data Centers located throughout the United States. BEA is also involved in the Interagency Council on Statistical Policy's creation and implementation of the <u>Standard Application Process</u> (SAP) for researchers to apply for access to confidential business data, in accordance with the Foundations for Evidence-Based Policymaking Act.



Bureau of Industry and Security (BIS)

The Bureau of Industry and Security (BIS) advances U.S. national security, foreign policy, and economic objectives by ensuring an effective export control and treaty compliance system and promoting continued U.S. strategic technology leadership. BIS administers and enforces controls on the export of: (1) dual-use items, which have chiefly commercial uses but could be used in conventional arms and/or weapons of mass destruction, or to abuse human rights; and (2) certain less-sensitive military items that are not otherwise controlled by the Department of State under the International Traffic in Arms Regulations.

Department of Commerce controls are implemented primarily under the Export Control Reform Act of 2018 (ECRA) through the Export Administration Regulations (EAR), in coordination with several other federal agencies. The EAR set forth license requirements and licensing policy for exports of these items and incorporate controls on items identified on the control lists of the four major multilateral export control regimes: the Australia Group (AG) (chemical and biological nonproliferation); the Missile Technology Control Regime (MTCR); the Nuclear Suppliers Group (NSG); and the Wassenaar Arrangement (conventional arms and related goods, software, and technologies). BIS also implements unilateral controls under ECRA authorities.

BIS participates in U.S. nonproliferation efforts related to the Chemical Weapons Convention (CWC), the Additional Protocol to the U.S.-International Atomic Energy Agency (IAEA) Safeguards Agreement, and the Biological Weapons Convention (BWC). Enforcement of the EAR is an essential aspect of the BIS mission. Enforcement efforts serve to encourage compliance, prevent and deter violators, disrupt illicit activities, and bring violators to justice. BIS investigates potential violations, supports administrative and criminal prosecutions, and helps evaluate the parties, end uses, and destinations of exports, reexports, and in-country transfers of sensitive commodities, software, and technology. BIS also actively enforces prohibitions related to certain foreign boycotts.

BIS carries out activities to support the U.S. defense industrial base, including by: investigating whether certain imports threaten to impair national security; conducting industry sector surveys and analyses; participating in the Committee on Foreign Investment in the United States (CFIUS) process; administering the Defense Priorities and Allocations System (DPAS); co-chairing the Market Impact Committee (MIC) of the National Defense Stockpile; and providing the Department of Defense with recommendations on the proposed release of excess defense articles.

BIS consults closely with industry on the development of regulatory policy through its Technical Advisory Committees (TACs). The TACs provide valuable input on trends in technology and the likely impact of export control developments. BIS also conducts and participates in numerous outreach events throughout the United States and overseas to educate and update the public and international partners on export controls and policy. The BIS website can be found at: <u>https://www.bis.gov</u>.

BIS's primary activity is to identify and mitigate national security risks associated with the export, reexport, or transfer (in-country) of commodities, technology, and software through implementing the Export Administration Regulations (EAR). With the passage of the Export Control Reform Act of 2018, BIS also leads a regular, ongoing interagency process to identify and control the export of emerging and foundational technologies that are essential to the national security of the United States.

The Bureau evaluates and provides all-source information publicly available and governmentprivileged to the interagency export control community to inform adjudication of export control license applications. BIS promotes U.S. exports by preventing the diversion or misuse of items subject to the EAR abroad through end-use checks, outreach, and cooperation with foreign governments. The Bureau identifies potential violations of export control laws and regulations that jeopardize U.S. national security and foreign policy interests; searches, inspects, detains, and seizes items to prevent unauthorized exports; and conducts law enforcement investigations that could result in criminal and civil penalties, as well as preventive regulatory actions, thereby encouraging compliance with the EAR. Following the enactment of the Foreign Investment Risk Review Modernization Act of 2018, the scope of the interagency Committee on Foreign Investment in the United States has grown significantly. As a critical contributor to the Commerce Department's participation, BIS conducts comprehensive reviews of transactions and provides expert support during policy deliberations on complex cases to ensure that inward foreign direct investment does not threaten national security.

The Bureau advises industry and enforces the antiboycott provisions set out in the EAR which discourage, and in certain circumstances, prohibit U.S. companies from taking specific actions in support of an unsanctioned foreign boycott, including complying with certain requests to provide information about business relationships with a boycotted country or to refuse to do business with certain persons for boycott-related reasons.

BIS conducts Section 232 investigations under the authority of the Trade Expansion Act of 1962, as amended. The purpose of such investigations is to determine the effect of imports on the national security. Investigations may be initiated based on an application from an interested party, a request from the head of any department or agency or may be self-initiated by the Secretary of Commerce. The Secretary's report to the President, prepared within 270 days of initiation, focuses on whether the importation of the article in question is in such quantities or under such circumstances as to threaten to impair the national security. The President can concur or not with the Secretary's recommendations and take action to "adjust the imports of an article and its derivatives" or other non-trade related actions as deemed necessary. More detailed information can be found in the <u>Section 232 Investigations Program Guide</u>.

BIS ensures continued U.S. technology leadership in industries that are essential to national security such as the Federal Government's Defense Priorities and Allocations System (DPAS) and works diligently to ensure that the U.S. remains competitive in industry sectors and sub-sectors critical to national security. BIS also administers the industrial compliance provisions of arms control and disarmament treaties (e.g., Chemical Weapons Convention).

Open Data

BIS makes a wide range of data and other reference materials available to the public via its website. The Office of Technology Evaluation (OTE) produces statistical reports from its analyses of available data from the Automated Export System (AES) and BIS license application system to identify trends in export and licensing, support the evaluation of the U.S. Export Control System, and inform policy decisions. Additional information can be found on the <u>BIS website</u>.

Proactive Disclosures

Information is released to the public on a continual basis through publications of press releases, Federal Register Notices, and upcoming events posted under the "News & Updates" section located at <u>https://www.bis.gov/news-updates</u>. BIS also maintains a public resource page containing informational resources ranging from deemed exports, Entity Lists,

Foreign Direct Product Rules, and other topics; and also includes training material related to U.S. export control regulations, which can be accessed at <u>https://www.bis.gov/learn-support</u>. Additionally, the website provides users with the capability of searching the EAR and Commerce Control List (CCL) index; an interactive tool to Export Control Classification to initiate a CCL Order of Review Decision to assist with identifying classification of items that are subject to the EAR; compiled legal authorities for references; links to resources providing additional information on what items are not subject to the EAR; and FAQs. This information can be found at <u>https://www.bis.gov/regulations</u>.

Further, BIS continues to provide updates to the public about its activities in response to Russia's invasion of Ukraine through a dedicated resource page containing press releases, FAQs, and other information important for the public. BIS also maintains a verified X account where it provides additional updates and information at @BISGov.

Privacy

BIS is steadfast on safeguarding personally identifiable information (PII) as it coincides with the Bureau's foundational pillars, such as trustworthiness to the public. As collectors of information on individuals (PII) and businesses (BII), BIS strives to be a leader in privacy practices and policies. The Bureau Chief Privacy Officer (BCPO) is assigned directly by the Department's Senior Agency Official for Privacy (SAOP) and takes on the responsibility with the Privacy Officer for ensuring that the Bureau's privacy plan incorporates the implementation of information and privacy protections, including compliance with federal laws, regulations, and policies relating to information privacy. The Bureau Privacy Officer is also a member of the Privacy Council, chaired by the Department's Chief Privacy Officer and is comprised of one designated Privacy Officer representative from each bureau.

The Privacy Council works together on behalf of the Department to ensure that they reflect the privacy goals, values, and policies that the Department advocates. The Bureau Privacy Officer works with the Privacy Council to further identify opportunities for strengthening the Department and Bureau Privacy Policy Program

(https://www.commerce.gov/bureaus-and-offices/os/cfo-asa/privacy-and-open-government).

Whistleblower Protection

BIS adheres to the Department's guidance regarding the Whistleblower Protection Program. This program implements protections from unlawful reprisal for those who identify potential wrongdoing in their organizations. The U.S. Office of Special Counsel (OSC) certifies the OIG to conduct training and promotion of the provisions of the Civil Service Reform Act of 1978, Pub. L. No. 95-454, 92 Stat. 1111; Whistleblower Protection Act of 1989, Pub. L. No. 101-12, 103 Stat. 16; Whistleblower Protection Enhancement Act of 2012, Pub. L. No. 112-119, 126 Stat. 1465, and other related laws. DOC employees receive training upon onboarding and annually on the anti-discrimination and whistleblower protection laws. Both employees and other covered and protected employees may contact the Whistleblower Protection Coordinator at 202.482.1099 or at wpo@oig.doc.gov. Additional information can be found at https://www.oig.doc.gov/Pages/Whistleblower-Protection-Program.aspx.

Websites

BIS's main public website at <u>https://www.bis.gov</u> posts regular updates on information for the exporting community as well as other items of interest to the public dealing with BIS programs on a reoccurring basis. Additionally, BIS has implemented modernization efforts to better enhance user experience and accessibility of information to the public.

Freedom of Information Act, Electronic FOIA

BIS has allocated additional resources to FOIA operations to improve processing of requests, with a proactive approach to engage with requesters at the outset of a request to delineate scope of the requested records. Further, BIS has undertaken steps to assess the use of applications to streamline reviews of records and identification of duplicative documents. The following resources are available to members of the public:

- BIS FOIA resource page;
- <u>Simplified Network Application Process Redesign (SNAP-R)</u> which allows users to submit and track export license applications, commodity classification requests, reexport license applications, and license exception agricultural commodity (AGR) notifications online;
- <u>System for Tracking Export License Applications (STELA)</u> which allows users to track export license applications, commodity classification requests, reexport license applications, and license exception agricultural commodity (AGR) notifications online; and
- <u>Section 232 Exclusions</u> which is a Department site containing information about the 232 exclusion process.

Websites - External Collaborative

The bureau relies heavily on the Office of the Federal Register and its library - <u>https://www.federalregister.gov/</u> for public notices, proposed rules, and system of records, and the Code of Federal Regulations for publication of regulations, such as the:

- Export Administration Regulations (EAR);
- <u>Department of State, Directorate of Defense Trade Controls</u> for the International Traffic in Arms Regulations ("ITAR," 22 CFR 120-130) and The United States Munitions List ("USML," part 121 of the ITAR); and
- Census Bureau, Foreign Trade Regulations.

The Bureau of Industry and Security represents the U.S. government in four multilateral export control regimes. They are:

- The Wassenaar Arrangement (WA) <u>https://www.wassenaar.org/</u> is one of four multilateral export control regimes in which the United States participates on Export Controls for Conventional Arms and Dual-Use Goods and Technologies.
- The Australia Group -<u>https://www.dfat.gov.au/publications/minisite/theaustraliagroupnet/site/en/index.html</u>

which is made up of 42 countries and focuses on coordination of export controls in order to prevent the proliferation of chemical and biological weapons.

- The Nuclear Suppliers Group <u>https://www.nuclearsuppliersgroup.org/en/</u> which is made up of 48 member countries and is focused on preventing the proliferation of nuclear weapons.
- The Missile Technology Control Regime <u>https://www.mtcr.info/en</u>, which is made up of 35 member countries and focuses on preventing the proliferation of missile technologies. Organization for the Prohibition of Chemical Weapons <u>https://www.opcw.org/</u> one of the agencies BIS works with to administer the industry compliance program for the Chemical Weapons Convention (CWC).

Ongoing Initiatives

BIS training seminars provide an opportunity for the public to learn first-hand from experienced U.S. Government officials about export control policies, regulations, and procedures. BIS offers one- and two-day courses on the EAR as well as in-depth courses on special topics of interest to the exporting community. Instructors are experienced export administration and regulatory policy specialists, engineers, and enforcement personnel from BIS's Washington, DC, headquarters, field offices, and representatives from other U.S. Government agencies as appropriate.

BIS also offers an extensive library of online training modules and prerecorded webinars which provide access and study at the individual's convenience. Ongoing initiatives, such as responses to proposed rule comments, BIS seminars, and training, are updated on the BIS webpage and available through emails to participants to keep the public abreast of any changes. A schedule for seminars can also be found on the webpage at https://www.bis.gov/bis-seminar-schedule.

Public Notice

Information is released to the public on a continual basis through publications of press releases, Federal Register Notices, and upcoming events posted under the "News & Updates" section located at <u>https://www.bis.gov/news-updates</u>. Upcoming events, such as conferences and workshops, as well as links to BIS and DOC social media pages (e.g., BIS YouTube page) are posted on the BIS website main page to keep the public informed of any upcoming changes within the organization and export regulations. See <u>https://www.bis.gov/bis-seminar-schedule</u>.

Records Management

BIS is in the process of updating all its records schedules and developing a Standard Operating Procedure Guidance (SOP) for the transfer of electronic records in accordance with M-19-21 and M-23-07, Transition to Electronic Records. To support the transition to electronic records, BIS has identified record liaisons for each program office, who will support the BIS record custodians in ensuring that any "temporary" records are maintained on the BIS shared drive and assisting in the transfer of any "permanent" electronic records to the National Archives and Records Administration (NARA), based on the records schedule.

Freedom of Information Act Requests

BIS's FOIA program provides transparency concerning FOIA laws, policies, guidelines, and resources that allow any person the right to request access to records maintained within the Bureau. The BIS FOIA webpage <u>https://efoia.bis.doc.gov</u>, provides instructions on how to file, track and appeal a request. Upon receipt of a request, the FOIA team is required to respond to FOIA requests within 20 working days of receipt unless there are unusual circumstances such as: 1) requesting records from field facilities or other separate establishments; 2) examining voluminous records; and/or 3) the need for consultation with another component or Federal agency.

Congressional Requests

Direct responses to any Congressional requests for information are handled by the Bureau's Office of Congressional and Public Affairs, within the Office of the Under Secretary and Deputy Under Secretary. Information on BIS leadership and its offices can be found at https://www.bis.gov/bis_leadership-and-offices. Congressional or Media inquiries can be provided directly to the Office of Congressional and Public Affairs (OCPA) via email at: OCPA@bis.doc.gov.

Declassification

BIS follows the Mandatory Declassification Review (MDR) of the Department which supports access to information. This is similar to FOIA where the process allows individuals or an entity to request any Federal agency to review agency records for release. MDR is a route to the declassification and release of classified Department records under the terms of E.O. 13526. The process addresses requests for classified information for declassification, regardless of its age or origin. The agency on record for generating the original document is asked to review the content related to their mission. A Subject-Matter-Expert (SME) shall review the document to determine mission related content. The SME shall then evaluate the current impact of the mission related content to determine if it may be declassified. The assigned SME shall coordinate with the Information Security Division once a declassification recommendation has been determined to add to the MDR package.

The Department Original Classification Authority (OCA) makes the final MDR decision. Prior to transferring any records to NARA, BIS consults with Office of Security and the Department's Records Management Officer to ensure that appropriate procedures are established for maintaining the integrity of the records and that NARA receives accurate information about operating unit declassification actions.

Transparency, Participation & Collaboration

The public can find general information about BIS at <u>www.bis.gov</u>, which includes current activities, historical records, speeches, and testimony from BIS senior management. The page has a list of Press Releases, notices published in the Federal Register, updates on the Section 232 Exclusions Portal, Publications, a link to the eFOIA page, reminders for reporting requirements, and much more.

Project - Ongoing Initiatives

Ongoing initiatives, such as responses to proposed rule comments and regulatory changes as published in the Federal Register are updated on the webpage and through emails to participants to keep the public abreast of any changes.



Bureau of the Census (Census)

The Census Bureau is the federal government's largest statistical agency and is dedicated to providing trusted, timely, and relevant statistical information about the Nation's people, places, and economy. This information is critical for government programs and shapes important policy decisions that help improve the Nation's social and economic conditions. The work the Census Bureau does is based on values and guiding principles that move us forward as innovation pioneers, encourage us to operate with integrity, transparency, and accountability to stakeholders, and promote respect for the workforce, respondents, and customers. Through its <u>mission</u>, the Census Bureau promotes the Open Government principles of transparency, participation, and collaboration, while protecting privacy and confidentiality.

Open Data

The Census Bureau continually identifies and publishes datasets and APIs to Data.gov in accordance with OMB Memorandum M-10-06, Executive Order 13642 on open data, and the overall principles outlined in the <u>Digital Government Strategy</u>. It regularly updates and adds information about datasets available for the API through the <u>Developer's Forum</u>. Census Bureau open data efforts are an extension of their work in open government and the digital government strategy and support their efforts to engage with citizen developers to deliver better services to the American people. Census Bureau data dissemination objectives remain aligned with the principles of open data and the digital government strategy.

Census Bureau data continues to be a key national resource, serving as a fuel for entrepreneurship, innovation, scientific discovery, and commercial activity. The Census Bureau participates in <u>Data.gov</u> and <u>eRulemaking</u> initiatives. Additionally, the Census Bureau publishes documents that describe input data, methodology, and process for the creation of population and housing unit estimates for various geographies. For example, to provide data users and other interested individuals with documentation about the methods used in the American Community Survey (ACS) and Puerto Rico Community Survey (PRCS), in 2014 the Census Bureau released the <u>Design and Methodology Report</u> which contains descriptions of the basic design of the <u>ACS</u> and PRCS as well as the details of the full set of methods and procedures. This document is updated approximately every 2 years to provide current methodological information to the public.

The Census Bureau continues to make all non-sensitive public datasets freely available in machine-readable formats so that they can be leveraged to improve the efficiency and transparency of their operations. Additionally, the Census Bureau has published a comprehensive list of <u>data tools and applications</u> and <u>API</u> datasets.

The Census Bureau publishes much of its public data on its website (census.gov). <u>Data.census.gov</u> is the most recent platform designed to improve the customer experience by making data from across its demographic and economic program areas available from one centralized place. The Census Bureau listened to its customers' feedback for a more efficient way to get data and designed a platform driven by the data users. In phases of integration, this platform will be the search that takes over census.gov to allow users a single place to seamlessly access their public data and digital content.

The Census Bureau Center for Enterprise Dissemination Services and Consumer Information (CEDSCI) continues to release updates for use on <u>data.census.gov</u>. These activities align with their strategic objective to increase the visibility and utility of their products and services. The Census Bureau has focused on actions and measures going forward to further increase the visibility and utility of the Census Bureau's products.

Additionally, the Census Bureau continues to inventory internal datasets that are restricted and not available to the public through their Data Management System (DMS). This internal data includes their survey data, data from reimbursable surveys conducted for other agencies (sponsors), and administrative records (ADREC). Public information is inventoried in Data.gov.

Participation & Collaboration

The Census Bureau uses several avenues to promote opportunities for public participation in decision-making processes and to improve collaboration. There are three chartered advisory committees: the Census Scientific Advisory Committee (CSAC), and the Census Bureau National Advisory Committee on Racial, Ethnic, Other Populations (NAC), and the 2030 Census Advisory Committee (2030 CAC). Committee members represent the national demographics as well as specific fields of expertise and aid the Census Bureau with its mission and innovation goals. The committees provide feedback for operations, programs, methodologies, technologies, outreach, and current and new developments. The Census Bureau strives to ensure transparency and openness in all the advisory committees' activities and proceedings. The public has access to the deliberations, along with time for commentary at all the proceedings, in person or in writing. On the Census Advisory Committee website, the public can access standard operating procedures, charters, Federal Register notices, committee recommendations and Census Bureau responses, membership biographies and contact information, meeting materials, working group guidelines, and other relevant documentation. The advisory committee meetings are widely advertised and transmitted via YouTube channels.

The Census Bureau engaged JASON, the American Statistical Association (ASA) Quality Indicators Task Force, and the Committee on National Statistics (CNSTAT) to provide an <u>external assessment</u> of the 2020 Census. JASON is an independent group of scientists and engineers with expertise in a variety of technical areas leveraged to perform studies for government sponsors. JASON members have already completed multiple studies for the Census Bureau, covering various aspects of the 2020 Census and other Census Bureau operations. Recent contributions include the review and analysis of disclosure avoidance implementation and 2020 Census data products planning. More information is available in "Formal Privacy Methods for the 2020 Census."

Census Bureau data dissemination professionals and outreach staff are actively engaged in providing data workshops, webinars, seminars, and site visits with a wide variety of groups. These include tribal, state, and local governments; community-based organizations; small businesses; trade associations; rural community groups; inner city neighborhood associations; media organizations; national affiliates; and faith-based organizations. Consistent with <u>M-11-07</u>, the Census Bureau collaborated with internal and external stakeholders to streamline their Paper Reduction Act (PRA) process. The Census Bureau publishes notices informing the public of their collections of information and other activities in the <u>Federal Register</u>. The Census Bureau posts active and pending collections of information at <u>https://www.reginfo.gov/public/</u>.

For the first time in 2022, the public had the opportunity to formally give input on planning and designing the 2030 Census through a <u>Federal Register Notice</u>. The Census Bureau sought public feedback on specific topics with the goal of helping ensure everyone is counted, especially historically undercounted populations. These topics included: reaching and motivating everyone to respond to the census, technology, new data sources, how Census Bureau contacts the public, and how Census Bureau provides support to the public. The Census Bureau is using this input to inform the decisions on the 2030 Census operational design, to generate new projects, and to expand existing projects.

The Census Bureau also continues to explore ways to make participation in their surveys and programs easy. For example, the Census Bureau created the Geographic Update Partnership Software (GUPS) to assist its partners in the review and collection of geospatial data for the 2020 Census. The GUPS is free software available to over 40,000 tribal, state, and local governments, and it is critical for the acquisition of those partner's boundaries, streets, and addresses. This decade, the Census Bureau is developing a web version of this application. The Census Bureau relies on public participation to produce high-quality, relevant statistical information. <u>Census Respondent Advocates</u> represent the interests of respondents, Congressional offices that have direct interaction with respondents, and other major stakeholders, as well as working to elevate an increased consideration of respondents' needs when they conduct their censuses and surveys.

The Census Bureau promotes participation during National Sunshine Week. The annual Sunshine Week events offer an opportunity for dialogue on the importance of open government and transparency. Sessions offered during the event highlight all plan components described in <u>M-16-16</u>.

The Census Bureau continues to identify ways to work more collaboratively and develop partnerships both within and outside of the Census Bureau. They foster partnerships with tribal, state, and local governments as well as commercial partners. Most recently, the Census Bureau has expanded its partnership programs to include the Office of Strategic Alliances, an evergreen office in charge of keeping and expanding national partners acquired during the 2020 Census for the benefit of other programs such as the Economic Census and the American Community Survey, and in preparation for the 2030 Census.

Below are examples of their ongoing collaborative external efforts:

<u>Standard Application Process (SAP)</u>

The Foundations for Evidence-Based Policymaking Act of 2018 (hereafter, the Evidence Act) requires the director of the OMB to establish a standard application process (SAP) through which agencies, the Congressional Budget Office, state, local, and tribal governments, researchers, and other individuals may, to develop evidence, apply to access certain data assets accessed or acquired by statistical agencies or units (44 U.S.C. 3583(a)). This policy establishes an SAP that incorporates the requirements of the Evidence Act and will standardize the process by which those individuals or entities may apply to access available confidential data assets accessed or acquired by statistical agencies to identify and apply for access to restricted-use data in a "one-stop-shop."

American Indian and Alaska Native Programs

The Census Bureau has one program, the Boundary and Annexation Survey (BAS) with tribal governments, designed to collect and maintain a current inventory of all legally defined tribal lands, their boundaries, and status. The Census Bureau has established a Tribal Relations Program with specialists dedicated to tribal relations between decennial censuses. They meet with tribal leaders, officers, and urban Indian partners across the nation. These specialists help the Census Bureau work with <u>American Indian and Alaska</u> <u>Native</u> populations to better understand their needs and concerns, and ultimately to provide tribal nations and AIAN individuals with better, more relevant data.

<u>Redistricting Data Program</u>

As required by Public Law 94-171 (P.L. 94-171), the Census Bureau provides states with the opportunity to define small geographic areas for which they wish to receive decennial population totals for the purpose of reapportionment and redistricting through its <u>Redistricting Data Program (RDP)</u>. State executive and legislative leadership in each of the 50 states, the District of Columbia (DC), and the Commonwealth of Puerto Rico (PR) appoint one or more nonpartisan liaisons, who, along with their designees, serve

as the primary contacts between the Census Bureau and the states for participation in the RDP.

Designing P.L. 94-171 Redistricting Data for the Year 2030 Census: The View from the States, a report summarizing feedback from the states on the 2020 RDP and how that feedback will information plans for the 2030 RDP, was published in 2024. The 2030 RDP was also be announced in the Federal Register in 2024, and the first phase, in which state liaisons can suggest features for use as 2030 Census block boundaries will begin in FY26.

<u>The Opportunity Project</u>

The Opportunity Project (TOP) catalyzes the creation of new digital tools that use federal and local data to provide families, local leaders, and businesses with information about critical resources, such as jobs, affordable housing, quality schools, and transportation. By providing easy access to curated federal and local datasets, and facilitating collaboration between technologists, issue experts, and local leaders, TOP is transforming government data into digital tools that create more thriving communities and help people solve problems in their everyday lives.

Federal Statistical Research Data Centers

There are currently 33 open Federal Statistical Research Data Center (FSRDC) locations. The FSRDCs partner with more than 100 research organizations including universities, non-profit research institutions, and government agencies. The FSRDCs provide gualified researchers on approved projects with a secure connection to restricted data collected by the Census Bureau, the National Center for Health Statistics, the Bureau of Economic Analysis, National Center for Science and Engineering Statistics, the Agency for Healthcare Research and Quality, the Bureau of Labor Statistics, the Equal Employment Opportunity Commission, the Federal Reserve Board, the Statistics of Income Division of the Internal Revenue Service, and other federal agencies. Though there are 33 locations available for use across the country. not all potential FSRDC researchers have easy access to a facility. To address barriers to physical access and increase the use of federal statistical data for research and evaluation purposes, the FSRDC program began piloting a remote access option to its centralized computing environment in 2020. Since its launching, more than 200 researchers have successfully used remote access to FSRDCs; reports from the field indicate that researchers continue to successfully complete their research.

Disclosure Avoidance for the 2020 Census Data Products

Protecting the privacy of respondents and the confidentiality of data is both a legal obligation and a core component of the Census Bureau's culture. Modern computers and today's data-rich world have rendered the Census Bureau's traditional confidentiality protection methods increasingly insufficient at preventing hackers from piecing together the identities of the people and businesses behind our published data.

The Census Bureau is being proactive in response to recent developments in mathematics and computer science that have significantly decreased the vulnerability of our published data products to reconstruction and re-identification attacks. A powerful new disclosure avoidance system (DAS) designed to withstand modern reidentification threats was employed to protect 2020 Census data products (other than the apportionment data; those state-level totals remain unaltered by statistical noise). The 2020 DAS is based on a framework for assessing disclosure risk known as differential privacy. It is the only solution that can respond to this threat while maximizing the availability and utility of published census data.

The Census Bureau educated data users and stakeholders every step of the way about what differential privacy is, why the Census Bureau has adopted it, and how implementation of the 2020 DAS works. This included presentations at professional conferences and meetings; conducting listening sessions with federal, state, tribal, local officials, and other stakeholder groups; and releasing videos, blogs, newsletters, technical papers, an introductory handbook, and series of disclosure avoidance briefs, and an online webinar series.

The Census Bureau released demonstration data from the <u>first "beta" version</u> of the DAS in October 2019, and several additional demonstration data products. During this process, independent experts and stakeholders, and other data users provided extensive feedback to help shape each subsequent test product and informed the decisions. Visit the <u>2020 Decennial Census</u>: Disclosure Avoidance site, "Developing the DAS" for additional information.

Civic Hackathons

The Census Bureau continues to participate in hackathons to challenge civic hackers, programmers, and developers to apply multiple open datasets to address economic, social and sustainability challenges.

Border Interagency Executive Council (BIEC)

The Census Bureau continues to work with the BIEC, an interagency working group established by Executive Order 13659, Streamlining the Export/Import Process for America's Businesses. The BIEC is comprised of over 40 federal agencies that are involved in the export/import process, from trade facilitation to trade enforcement.

<u>Electronic Export Manifest Project</u>

The Census Bureau has been working closely with the U.S. Customs and Border Protection (CBP) to help prepare for the implementation of Electronic Export Manifest (EEM). The EEM team is comprised of subject matter experts covering a wide spectrum of the International Trade Program at the Census Bureau and is looking specifically into how newly acquired administrative data, available in the EEM, should improve the export trade statistics the Census Bureau publishes. As part of the initial research, we have found that six data elements span all the Methods of Transportation for the EEM and could have a correlation with the Electronic Export Information (EEI)
transportation data. Those elements include Method of Transportation, District/ Port of Export, Date of Export, Vessel Name, Carrier SCAC/ IATA, and Foreign Port of Unlading. The EEM team conducts monthly analysis on the use of transportation statistics from operational manifest records provided by CBP. Initial findings from the analysis show improvement to currently published data for the transportation statistics collected. The EEM team continues to work with CBP's advisory committees (CESAC and COAC) and CBP to ensure the Census Bureau is engaged in how export operations for the 21st century are conducted.

- Other Agencies and Organizations:
 - The Census Bureau participates with other agencies in the Interagency Council on Statistical Policy (ICSP) and the Federal Committee on Statistical Methods (FCSM) to assess the needs for new approaches to improve the content, production, confidentiality protection, and dissemination of official statistics.
 - The Census Bureau engages universities, think tanks, and international statistical agencies to assess the needs for new approaches to improve the content, production, confidentiality protection, and dissemination of official statistics. In FY21, the Census Bureau continued to participate in the pilot for the Standard Application Process (SAP) while also participating in an interagency team to plan for the expanded SAP to include a full application and enhanced functionality.
 - The Census Bureau engages with the DOC Office of Inspector General and the Government Accountability Office (GAO) to receive and address reviews for procedural or programmatic improvements. Below are examples of their ongoing internal collaborative efforts:
 - Census Bureau employees use Microsoft Teams to collaborate in real time. Microsoft Teams allows employees to share documents during a chat session, schedule online meetings, and collaborate within Microsoft Office applications.
 - The Census Bureau has various SharePoint team sites that are used for division, branch, or project-level information and collaboration daily.
 - The Census Bureau uses the SharePoint web content and document managing system as a tool to increase options for collaboration. For example, SharePoint is used to manage all Interagency and Other Special Agreements (IOSAs).
 - The Census Bureau has a <u>Transparency in Secondary Research policy</u> that encourages staff to look for ways to improve visibility into these secondary uses of data they collect.

Open Innovation Methods

Open innovation methods such as incentive prizes on challenge.gov, citizen science programs, and other crowdsourcing approaches are designed to obtain ideas from, and to

increase collaboration with, those in the private sector, non-profit organizations, and academic communities.

Each year, the Census Bureau participates in the National Day of Civic Hacking. This national event engages citizens to use open government data, code, and technology to discover one or many solutions to community issues. Civic hackers can be programmers, designers, data scientists, communicators, civic organizers, entrepreneurs, government employees, or anyone who wants to collaborate to solve problems that affect the community. Additionally, the Census Bureau hosts a Vizathon concept competition, wherein Census Bureau staff can generate and submit ideas around data visualizations. On the day of the event, each team presents their data visualizations to a panel of internal and external judges, with awards given to the best visualizations. The goal of Vizathon is to improve employees' abilities to make Census Bureau statistics easier to consume and digest, expand the understanding of the latest types of visualizations and tools used to create them, and help encourage Census Bureau staff to develop data visualization skills.

Access to Scientific Data and Publications

The Census Bureau stays current by making research the basis of everything they do. <u>Their</u> <u>researchers</u> explore innovative ways to conduct surveys, increase respondent participation, reduce costs, and improve accuracy. The Census Bureau analyzes the data they collect and uncovers trends that give us a deeper understanding of their complex society.

Open Source Software

The Census Bureau promotes the use of Open Source software (OSS) and extensively utilizes OSS and libraries. This includes "pure" Open Source product versions and paid Open Source product versions that are supported by a commercial vendor such as Red Hat Enterprise Linux. All OSS used is reviewed and approved by the Standards Working Group (SWG), which provides governance for information technology software products at the Census Bureau. The objective is to use supportable, scalable, and secure technologies to reduce complexity, duplication, and technology risk while yielding significant cost savings. The Opportunity Project is unleashing the power of data and technology to expand economic opportunity in communities nationwide. The Census Bureau is creating tools that help families, local leaders, and businesses access information about the resources they need to succeed with a focus on making government data accessible.

Spending Information

The Census Bureau, through <u>USAspending.gov</u>, provides budgetary and financial information to give taxpayers increased visibility and accountability for activities. Part of the Census Bureau's mission is a commitment to conduct its work openly. The taxpayers and other stakeholders can analyze actual expenditures against cost estimates for major operations such as the 2030 Census, the Economic Census, and the Census of Governments. Furthermore, taxpayers and stakeholders can search how much is spent on contracts in their state. The information includes contract data that includes the name of the vendor, type of contract, award dates, amounts awarded, and the state in which the place of performance occurs.

From the perspective of internal management and decision-making, an objective in the Census Bureau's Strategic Plan is for executive staff to make critical program funding decisions and understand the distribution of costs across business functions. In furtherance of that objective, the Census Bureau management and staff will have a one-stop shop for quarterly financial information that was previously in multiple databases. For instance, in a user-friendly interface, acquisition personnel will be able to access and analyze historical trends in contract dollars that would otherwise have required a special request from another division at the Census Bureau. Furthermore, program managers will be able to quickly obtain data on spending in their program areas to identify historical trends in 5-year cyclical censuses—as funding levels rise and fall—and to plan in anticipation of needs. The financial data is available by object classes that categorize how the Census Bureau spends its budget: personnel, information technology, contract services, training, travel, and infrastructure. As such, the ease of access to this reliable web-based tool will contribute to the efficiency and effectiveness of the Census Bureau as an agency.

The Census Bureau will also align its Information Technology (IT) spending to the industry standard Technology Business Management (TBM) Taxonomy. TBM is a reporting mechanism by OMB as part of the reporting associated with the IT business plans and Exhibit 300s. Budgeting and obligating IT funds by the TBM Taxonomy will allow the Census Bureau to be completely transparent and more effectively communicate to stakeholders the services that our IT investments support. This information is publicly available at www.ITdashboard.gov.

Privacy

The Census Bureau remains committed to the principles of transparency and openness while also meeting their responsibilities for privacy and confidentiality compliance. They place stringent requirements on the collection, access, use, dissemination, storage, and destruction of personally identifiable information (PII). The Census Bureau requires annual data stewardship training that covers IT security awareness, Title 13, Title 26, and Privacy Act responsibilities to reinforce their confidentiality and privacy standards. In addition to the annual FISMA compliance reports, the Census Bureau submits PII breach incident reports to the Department of Commerce Office of Privacy and Open Government (DOC OPOG) and meets monthly with the Government Accountability Office (GAO) to discuss the development of new privacy policies. The Census Bureau also provides periodic reports to federal agencies and affords physical and IT security reviews where requested, on the applications, protections, integrity, and disposition of data they have provided them with. The Census Bureau makes information regarding their privacy program readily available to the public. The information can be accessed at the following links:

- Data Protection and Privacy
- Online Privacy Policy
- Privacy Impact Assessments
- System of Records Notices
- Oath of Non-Disclosure

<u>Statistical Safeguards</u>

Additionally, 15 CFR, Part 4, Subpart B, of the Privacy Act governs how an individual <u>can</u> <u>request access to and amend their records</u>. The Census Bureau makes submitting a request transparent and easy by providing information and instructions at <u>census.gov</u>. Annually, the Census Bureau hosts a Privacy Day event to promote awareness and discussion of current data protection topics, privacy policy, and to generate ideas to help evolve the current policies. The event offers a variety of workshops about important Privacy Act and E-Government Act requirements, as well as tools available for protecting their customer's privacy.

Whistleblower Protection

The Census Bureau strictly adheres to all antidiscrimination and whistleblower requirements by ensuring all employees complete the mandatory training. The Census Bureau is fully compliant with the No FEAR Act Policy. Additionally, information provided by the Office of Special Counsel can be accessed from their Equal Employment Opportunity Office intranet page under the "Whistleblower Protection" section. Broadcast messages are sent annually from the Census Bureau director to all employees informing them of their rights and remedies. The e-mail includes links to information on additional whistleblower protections; where all employees and contractors should report fraud, waste, and abuse; and the online complaint form.

Websites

The Census Bureau continues to take significant steps towards making their data and information more accessible to the public through <u>data.census.gov</u>. Data.census.gov is a platform that represents a constantly evolving customer experience by centralizing data access and allowing for a more rapid response to customers. It also creates new opportunities for data visualizations, maps, and other data displays that data users need. Data users now have more choices and greater flexibility.

The Census Bureau continues to create avenues for public participation by soliciting public input and feedback on their website. The vision for data.census.gov stems from continuous overwhelming feedback that aims to simplify the way customers get their data. The Census Bureau continuously works on the customer experience so that it is not necessary for data users to know special terminology or perform a complicated search to find the data that they need. The Census Bureau continues to work towards integrating data.census.gov with the main Census Bureau webpage, to create a seamless data user experience where data are accessible using a single search bar.

Additionally, the 2020 Census program launched a campaign website that featured resources and materials to help inform the public about the census. The site included Statistics in Schools materials, a webpage to share facts about the 2020 Census, information on applying for jobs, and FAQs. The Statistics in Schools material included classroom activities, updated classroom maps with census statistics, and videos for students. The <u>site</u> has been

decommissioned and the content is now incorporated within the census.gov website. The 2030 Census webpage has been established and is available on census.gov.

Throughout the Census Bureau website, downloadable data files are available to the public. These include data from the <u>American Community Survey (ACS)</u> and the <u>Economic Census</u>. The website enables the public to <u>explore their data</u> in a variety of ways.

The Census Bureau continues to support and upgrade <u>Census Business Builder (CBB)</u>. CBB is a suite of services that provide selected demographic and economic data tailored to users in a simple access and format. The data are presented in a map-based interface that includes a wide range of data, including:

- Demographic, socioeconomic, and housing data from the ACS.
- Business data from County Business Patterns, Non-employer Statistics, and Economic Census.
- Import and export data from the International Trade program.
- Workforce data from the Quarterly Workforce Indicators.
- Building permits data from the Building Permits Survey.
- Consumer spending data from ESRI.
- Farms data from the U.S. Department of Agriculture, National Agricultural Statistics Service Census of Agriculture.
- Employment and related data from the Bureau of Labor Statistics Quarterly Census of Employment and Wages.

The Census Bureau's <u>My Community Explorer</u> (MCE), is a map-based dashboard that provides selected demographic, business, and resilience information to help users identify potentially underserved areas of their state, counties, and communities. MCE also allows users to analyze the relationship of underserved communities to current natural disasters such as wildfires, hurricanes, air quality, extreme heat, earthquakes, and other severe weather-related events. MCE also allows users to see counties with Presidential Disaster Declarations and identify underserved communities in those counties. Census Bureau data and data tools associated with severe disasters can be found on the Emergency Management Hub at <u>Emergency Management (census.gov)</u>.

The Census Bureau provides <u>further resources</u>, including new products like the weekly Household Pulse Small Business Pulse Surveys, weekly Business Formation Statistics, and the Community Resilience Estimates.

The Census Bureau's publicly available datasets and tools can assist federal agencies and other entities in the equitable distribution of resources and identifying underserved communities. They have released a <u>curated collection of data sets and tools</u> that can be used to inform the frameworks for public dashboards to share progress and program metrics for assistance programs.

Public Notice

<u>Census.gov</u> remains their main platform for sharing information, collecting feedback, and providing opportunities for participation and collaboration with the public. The Census Bureau publishes documents, including all public notices, in the <u>Federal Register</u>:

External

- Crowdsourcing and idea-generating tools
- Federal Register Notices
- Social media (Facebook, YouTube, X, blogs, etc.)
- Electronic newsletters
- Webinars and webcasts
- Video and slide presentations
- National conferences and other speaking engagements
- Census Bureau Advisory Committees
- International Trade virtual town halls
- Stakeholder meetings
- Focus groups and surveys
- Various data tools and applications

Internal

Internally, the Census Bureau uses their intranet as a platform for keeping Census Bureau employees informed and engaging them in Open Government ideas and initiatives. The main page, "Census Central," shows the latest news releases, webinars, articles in the news media, announcements, events, and more. Here are some of the other tools currently in use:

- Electronic technology repository for collaboration
- Director's and deputy director's messages (e-mail, video, audio)
- Broadcast messages
- Conference phone calls, internal chat services, and video teleconferences
- Training
- Presentations and workshops for upper management
- Presentations for the regional offices
- Town hall meetings with employees
- Resources for employee development and publication of web content
- Reports and dashboards in support of organizational goals and objectives
- Employee newsletter
- Focus groups
- Surveys

Consistent with the Open Government Directive, the Census Bureau continues to keep the public informed about its significant activities and business. To provide access to a wider audience of stakeholders, the Census Bureau hosts public webinars to discuss the latest 2020 Census data processing developments and data products. Making these meetings available live and archived to all stakeholders provides unprecedented opportunities for everyone to learn about 2030 Census details. Along these lines, the <u>Agility in Action</u> report provides the public with updates on how the Census Bureau is working to minimize burden for American Community Survey respondents, while still allowing the survey to be responsive to emergent issues, keeping content current, and maintaining high quality data.

Records Management

Records are the foundation of open government, supporting the principles of transparency, participation, and collaboration. Well-managed records can be used to assess the impact of programs, to improve business processes, and to share knowledge across the government. Records protect the rights and interests of people and hold officials accountable for their actions. Permanent records document our Nation's history.

The Census Bureau continues to move forward with implementing an e-mail records management system (ERMS) that will be compliant with applicable Federal law and regulations, the NARA Records Schedule, and federal records capabilities necessary to capture all inbound and outbound e-mail, social media content, and electronic documents, and will store these records using the cloud for storage. The ERMS project will also incorporate the Capstone approach for managing email (NARA Bulletin 2013-03). The Census Bureau initiated the ERMS project to address the Records Management solution for their e-mail and internal social media communications as mandated by OMB M-19-21, Transition to Electronic Environment and as updated by M-23-07. The project also includes support services required to transition, deploy, operate, maintain, safeguard, and manage an enterprise-wide e-mail and collaboration environment, and to fulfill the Managing Government Records Directive.

Additionally, the ERMS initiative aligns with the Census Bureau's strategic plan of Implementing Electronic Reporting and Administrative Tools. This initiative utilizes electronic instruments such as SharePoint, eOPF, Transit Benefit Program, and the Decennial Applicant, Personnel and Payroll system to reduce the need for paper, printing requirements, ample storage, maintenance, and retrieval of records by fully leveraging the capabilities of their electronic systems. The initiative will follow the Capstone guidance provided by NARA and the Department, which references the Presidential Memorandum on Managing Government Records signed on June 28, 2019, and the subsequent issuance of the Management Government Records Directive memorandum signed on December 23, 2022. by OMB and NARA. The requirement does away with the traditional print-and-file policies and require agencies to implement new approaches to manage their documents electronically. The Census Bureau has been working with NARA on the archiving of 2020 Census records and NARA's release of 1950 Census individual records (April 1, 2022). NARA has digitized the 1950 Census population schedules, enumeration district maps, and enumeration district descriptions and provides free online access to the public. These records have proven useful for genealogical research and other historical purposes.

Although records management under M-16-16 focuses on the agency internal records management processes, the Census Bureau also contemplates how its information is managed externally. The Census Bureau's WikiData project takes a proactive approach to ensure that the public gets the most up-to-date data and information. WikiData powers data and statistics within Wikipedia. The project consists of the development of a system that will connect the Census Bureau API to WikiData and create an opportunity for dynamic, automatically updated Wikipedia articles. Through community engagement with Wikipedia editors, and the development of software tools that allow for synchronization of data, the

Census Bureau will work to ensure that Wikipedia presents the latest Census Bureau information.

Freedom of Information Act Requests

Under the Open Government Directive and the Freedom of Information Improvement Act of 2016, the Census Bureau operates under a presumption of openness, sharing information with the public about their programs and projects. The ability for customers to know who to contact for help or service, and how to contact those individuals remains important to the Census Bureau. The Census Bureau provides contact information for their FOIA staff on their public website at http://www.census.gov/about/policies/foia/contact.html. Included on this page are the names and contact information for the chief FOIA officer and the FOIA public liaison. The Census Bureau also has a resources page where customers can find a listing of FOIA laws, regulations, and policies, along with links to those documents. Additionally, on the same resources page, there is a guide named the "United States Census Bureau Freedom of Information Reference Guide," which has more detailed information about the FOIA and how the Census Bureau's FOIA staff processes requests.

Continuing their focus on the customer, the Census Bureau has implemented a promotion campaign to expand the awareness of the FOIA both internally and externally. The campaign consists of enhancing the FOIA internal and public facing websites to include a blog page that will house videos on topics related to FOIA. The goal is to utilize more technology that is interactive to increase awareness and education on the FOIA.

The Census Bureau post frequently asked requests in the <u>Freedom of Information Act</u> <u>electronic library</u>. Consistent with the FOIA Improvement Act of 2016, the Census Bureau continues to take steps toward ensuring openness and transparency by systematically posting material of interest (including 2020 Census information) immediately. The Census Bureau uses FOIAXpress as their main tool for managing, tracking, and assessing records fit for public disclosure. FOIAXpress system allows the Census Bureau to collaborate with agency staff outside of the FOIA office on FOIA tasks and assignments.

The FOIA staff at the Census Bureau continuously review their established FOIA business processes for best practices. They collaborate with the Department of Commerce and the Department of Justice to conduct FOIA training for both internal and external customers. The FOIA staff also regularly conducts audits of cases to ensure that FOIA professionals are adhering to established FOIA laws, regulations, policies, guidance, and procedures. These audits serve to ensure program compliance and identify staff training needs Detailed information about their FOIA program is available at the <u>Census Bureau FOIA</u> <u>landing page</u>.

Proactive Disclosures

The Census Bureau continues to post frequently asked requests in the <u>Freedom of</u> <u>Information Act electronic library</u>. Consistent with the FOIA Improvement Act of 2016, the Census Bureau continues to take steps toward ensuring openness and transparency by systematically posting material of interest (including 2020 Census information) immediately. The Census Bureau uses FOIAXpress as their main tool for managing, tracking, and assessing records fit for public disclosure. FOIAXpress system allows the Census Bureau to collaborate with agency staff outside of the FOIA office by allowing:

Departmental FOIA staff to review, task, or assign Census Bureau FOIA cases. Staff to refer misdirected FOIA cases to other DOC BOUs.

The Census Bureau uses FOIAXpress as part of this FOIA analysis to ascertain whether previously requested records exist. If the records have been requested in the past, they are categorized as "Frequently Requested" and made available to the public through the <u>Census FOIA webpage</u>. The following are links to posted material:

Congressional Requests

The Census Bureau receives congressional inquiries by phone, letter, and via the internet. The inquiries generally involve constituent-related survey issues, program policies, or requests for program or agency information. Recent inquiries have focused on the legal basis for taking the census, and how census results were affected by natural disasters and the COVID-19 pandemic. The Office of Congressional and Intergovernmental Affairs (OCIA) advises the Census Bureau's director, senior executive staff, and program areas on correspondence management and congressional, intergovernmental, and tribal affairs. OCIA also advises Congress and tribal and intergovernmental associations on Census Bureau programs and policies and is responsible for responding to Census Bureau data inquiries from Congress. Congressional correspondence logs are processed through the FOIA office and proactively disclosed at the Census Bureau's FOIA landing page.

Declassification

The Census Bureau does not have statutory authority to classify or declassify information.

Project - Open Census

The Census Bureau aims to become a leader among the federal statistical agencies in platforms for open science through a new endeavor called Open Census. Open Census encompasses three distinct but interconnected efforts: Open Science, Open Code, and Open Data. Each effort requires providing researchers, developers, and statisticians with cloud-based repositories to publish, search, and share their work conveniently and intuitively. Underpinning these efforts will be standardized metadata and persistent identifiers, which will allow data and research output to be discoverable, linked, and re-used. The purpose of the Open Census Initiative is to allow researchers to focus efforts on understanding and utilizing Census Bureau research by improving the discoverability and reuse of Census Bureau data and research output. The transparency provided by Open Census will increase peer review, bolster collaborations, and expand innovation for researchers. Moreover, Open Census will promote federally funded research and accelerate innovation and knowledge-sharing using Census Bureau statistical products.

Project - Innovation and Operational Efficiency

The Census Bureau implemented the Innovation and Operational Efficiency (IOE) program in 2010 to engage employees in identifying opportunities to increase efficiency and reduce costs in Census Bureau operations. With over 4000 ideas submitted since 2010, project managers

and their teams work to bring the ideas to fruition. The IOE program continues to succeed in fostering innovation and empowering employees to submit ideas that turn organizational challenges into solutions.

To date the IOE Program has achieved over 46 million in savings and cost avoidance for the Census Bureau.

Project - Add High Value Datasets to Data.gov

The Census Bureau is publishing current datasets to <u>Data.gov</u> as identified on a flow basis. Previously published records for Census Bureau products are reviewed regularly for date of the last update and link validation.

Project - 2020 Census Data Products

The following 2020 Census data products and descriptions of each are now available on About <u>2020 Census Data Products</u> page:

- 2020 Census Apportionment Results
- Redistricting Data Summary File (P.L. 94-171)
- Demographic Profile
- Demographic and Housing Characteristics File (DHC)
- Congressional District Summary Files
- Detailed Demographic and Housing Characteristics File A (Detailed DHC-A

With all of the 2020 Census data products, the Census Bureau is moving deliberately to ensure that they can produce the high-quality statistics that the public expects. The pandemic delayed their operations, and they're in the midst of implementing new confidentiality protections.

Project - 2020 Census Evaluations and Experiments

The <u>2020 Census Evaluations and Experiments</u> program is a culmination of seven decades of expertise and experience in developing a comprehensive research program to evaluate how well census operations reflect the Census Bureau's strict quality standards. The program is designed to document and evaluate the current decennial census and facilitate planning efforts for the next one. The program for the 2020 Census consists of three experiments, 13 evaluations, 47 operational assessments, and three quality control results reports.

Project - Post-Census Quality Initiatives

The Census Bureau offers several options for governmental units that would like to review their 2020 Census counts or update their population totals between decennial censuses. The <u>2020 Census Count Question Resolution operation</u> (CQR) gives tribal, state and local governmental units the opportunity to request that the Census Bureau review their boundaries and/or housing counts to identify errors that may have occurred while processing their 2020 Census counts. This review helps ensure that housing and population counts are allocated to the correct 2020 Census blocks in the 50 states, District of Columbia, and Puerto Rico. If the CQR review identifies errors, the Census Bureau will issue corrected housing and population

counts. These corrected counts can be used as official population totals, but they will not change 2020 data products, including apportionment results or redistricting data. The 2020 Post-Census Group Quarters Review (PCGQR) is a new, one-time operation for governmental units in the United States and Puerto Rico to request that the U.S. Census Bureau review the population counts of group quarters they believe were not correctly counted as of April 1, 2020. It was created in response to public feedback received on the Count Question Resolution operation about counting group quarters' populations during the unprecedented challenges posed by the COVID-19 pandemic. If the 2020 PCGQR review identifies discrepancies, the updated counts will be incorporated into the Census Bureau's population estimates base as the production schedule allows. Population counts updated through 2020 PCGQR can be used as official population totals, but they will not change 2020 Census counts or data products, including apportionment results, or redistricting data. For governmental units that require updated population counts between decennial censuses, the Census Bureau offers a Special Census Program. The Special Census Program conducts a basic enumeration of population, housing units, group guarters and transitory locations conducted between decennial censuses. The Census Bureau conducts this enumeration at the request of a governmental unit and the governmental unit pays for all costs. This program cannot review or change 2020 Census counts, and it cannot alter 2020 Census data products such as apportionment results or redistricting data. The Census Bureau will issue a certified, updated population count that corresponds to the reference date of the special census. These updated counts will be incorporated into the next series of annual population estimates that the production schedule allows.

Project - Improving Local Employment Dynamics (LED) Data Visualization

Data visualization tools are an important and necessary means by which statistical information can be made more understandable to data users. The Census Bureau's Longitudinal Economic Development (LED) partnership (or Longitudinal Employer-Household Dynamics (LEHD) program) has pioneered this effort with its public-facing OnTheMap web application that allows graphical analysis of the relationship between residence and workplace locations on user-defined maps. Version 6.24.1 of the OnTheMap application was released in May 2024. This latest version of OnTheMap includes data for LODES 2021, redesigned the Identify tool, and added worker/firm detail to the Area Comparison and Destination Analysis summary reports. OnTheMap now contains 20 years of data (2002-2021). The underlying geography associated with the data has been updated to the TIGER 2021 vintage.

In November 2023, the Census Bureau released version 4.23.2 of <u>OnTheMap for Emergency</u> <u>Management</u>. First introduced in 2010, this is a public data tool that provides unique, realtime information on the workforce for U.S. areas affected by hurricanes, floods, wildfires, winter storms, and for federal disaster declaration areas. The most recent release includes 2021 LEHD Origin-Destination Employment Statistics (LODES) data and 2017-2021 ACS, 5year estimates.

Additional applications include QWI Explorer, a tool for analysis of the Quarterly Workforce Indicators (QWI); J2J Explorer, a tool for analysis of the Job-to-Job (J2J) Flow statistics;

PSEO Explorer, a tool to examine Post-Secondary Employment Outcomes (PSEO); VEO Explorer, a tool to access the Veteran Employment Outcomes (VEO) statistics; and the LED Extraction Tool, a tool that enables access to the raw public-use data of the QWI dataset. <u>QWI Explorer</u> allows data users to explore and analyze measures of employment, job creation, earnings, worker turnover, and hires/separations by different levels of geography, industry, business characteristics, and worker demographics as well as to construct visualizations (charts, maps, and tables) comparing, ranking, and aggregating indicators across time, geography, or firm and worker characteristics.

<u>J2J Explorer</u> enables comprehensive access to the innovative Job-to-Job Flow (J2J) statistics on worker reallocation in the United States. Using longitudinal administrative data on workers' job histories, J2J data traces worker earnings and movements through industries, geographic labor markets, and to/from employment. The application's interactive visualizations allow for the construction of tables and charts to compare, aggregate, and analyze earnings and flows by worker and firm characteristics. Potential analyses include identifying what industries are hiring manufacturing workers, what metro areas have the highest rate of worker separations leading to persistent nonemployment, comparing earnings after job flows to earnings for job stayers, and a time series analysis on the impacts of educational attainment on hires to North Dakota.

The Post-Secondary Employment Outcomes (PSEO) Explorer visualization tool was released in November 2019. <u>PSEO Explorer</u> includes interactive modules for users to visualize <u>earnings outcomes</u> and <u>employment flows</u> for recent graduates of partner colleges and universities. PSEO is an experimental data product generated by linking graduate transcript records to LEHD data on graduates of select post-secondary institutions in the United States. <u>VEO Explorer</u> allows similar functionality for a dataset on employment outcomes for U.S. Army veterans and was released in May 2020. These tabulations show earnings and employment outcomes for U.S. Army veterans who completed their initial term of active-duty service. VEO are generated by linking veteran records provided by the U.S. Army to national administrative data on jobs at the Census Bureau. Coverage includes Army veterans' labor market outcomes 1, 5, and 10 years after discharge, by military occupation, rank, demographics (age, sex, race, ethnicity, education), industry, and geography of employment. VEO Explorer allows for comparisons of veteran's outcomes via an easy-to-use line and bar chart interface.

Project - Application Programming Interface (API)

Many of their datasets are available via API. The API lets developers customize Census Bureau statistics into web or mobile apps that provide users with quick and easy access from more than 60 popular sets of statistics including:

- ACS 1-Year Data* (2005-2022)
- Population Estimates and Projections (2010-2021)
- Planning Database (2015, 2016, 2018-2021)
- County Business Patters and Nonemployer Statistics (1986-2021)
- Economic Indicators (Time Series: various years to present)
- Decennial Census Self-Response Rates (2010-2020)

- 2020 Census P.L. 94-171 Redistricting Data Summary Files (2000, 2010, 2020)
- And many more . . .

Note: The Census Bureau did not release its standard 2020 ACS, 1-year estimates because of the impacts of the COVID-19 pandemic. Instead, the Census Bureau released experimental estimates from the 1-year data. They are posted on the <u>2020 ACS 1-Year</u> <u>Experimental Data Release</u> page; they are not available on the API or data.census.gov. The API aligns with the federal digital strategy and supports the goals of Open Government by making Census Bureau data available in an information-centric and machine-readable format.

Project - Implementing the Federal Digital Strategy

The Census Bureau continues to work diligently towards a 21st century digital ecosystem. They continue to support the digital government strategy (DGS) through their APIs, in the migration to an "information-centric" content management system (CMS), and by improving search and navigation for their website visitors. The Census Bureau also continues their efforts through increased engagement with the customer through a broad variety of channels (both online and offline) in line with the "customer-centric" tenets of the DGS.

The Census Bureau's implementation of the DGS is based on the fundamental tenet that information is a strategic public asset that must be managed through the complete lifecycle from data collection to data dissemination. The Census Bureau will continue to evolve their digital strategy to ensure openness and application interoperability through shared services, and to address heightened awareness of the challenge of maintaining security standards and infrastructure for the growing variety of digital efforts being planned. There are three foundational elements critical to the success of a future Digital Strategy at the Census Bureau:

- Interoperable systems Improving how their systems exchange data with one another.
- Mobile flexibility Strengthening IT infrastructure through modern, scalable tools, and software.
- API by default policy CIO Publishing consistent standards to enable reuse and savings.

Project - Increasing Support for American Community Survey (ACS) Data Users Every year, the Census Bureau releases 1- and 5-year <u>ACS</u> data products. Both products are accompanied by a webinar and news release. Additional products that use ACS estimates are released throughout the year, such as working papers, infographics, data visualizations, and others.

The Outreach and Education Branch (OEB) within the American Community Survey Office (ACSO) provides continuous support to ACS data users by answering data user questions via e-mail and phone calls, holding educational webinars, and presenting and exhibiting at events across the country to provide information on the ACS and the various tools and resources available to assist data users in accessing and using ACS data. Every other year, the ACS

program hosts a Data Users Conference to increase understanding of the value and utility of ACS data, and to promote information sharing among data users about key ACS data issues and applications. Since 2019, the OEB partnered with the Economic Directorate to develop and conduct a series of webinars (centered on specific topics) showcasing data from both the Census Bureau's economic programs and the ACS. The OEB also established its own webinar series focused specifically on ACS data and released a series of data user handbooks and an ACS course through Census Academy, that help users understand and use ACS data.

Project - A New Research Agenda to Enhance the ACS

The Census Bureau continues to engage in numerous activities to build and maintain customer support and awareness of (and trust in) the <u>ACS</u>. Largely focused on providing positive experience for customers, the Census Bureau continues to work to minimize burden for survey respondents while still allowing the survey to be responsive to emergent issues, keeping content current, and maintaining the high quality of data that their country demands and deserves.

The Census Bureau is committed to demonstrating a high degree of transparency and agility by constantly searching for ways to improve. In recent years, the Census Bureau has:

- Made changes to ACS survey operations that reduced respondent burden.
- Engaged in several communications efforts to educate the public about the impact of ACS data on communities throughout the United States.
- Conducted numerous ACS research projects and published over 50 papers on their findings.
- Mined the best thinking of subject matter experts in private industry and the National Academy of Sciences.
- Evaluated sources for administrative records and conducted direct replacement tests on the ACS.
- Collaborated with respondent advocates to champion the needs and concerns of respondents everywhere.

The Census Bureau accomplished this while ensuring steady operations by engaging 3.5 million households a year with the ACS. This engagement includes providing customer service, encouraging people to fill out the survey, gathering and analyzing the data, and generating multiple data products along with 11 billion estimates free for public consumption. The Census Bureau's deep and abiding commitment to quality drives them to create a positive survey experience, deliver high quality data, and conduct research to make data-driven decisions that enhance the ACS. They continually evolve survey operations to balance the needs of individual respondents with the need for impactful data in communities throughout the United States.

The Census Bureau remains agile in launching new research and experimentation with survey protocols while still meeting the multitiered demands of survey operations. The Census Bureau is building on exhaustive research that covers survey protocols ranging from

mail packaging to contact modes to public education campaigns and beyond. In the years to come, the Census Bureau will keep improving by using a multi-pronged approach, focusing on:

- Improving survey materials and the way questions are asked.
- Reducing follow-up contacts.
- Obtaining data from other sources.
- Removing questions or asking questions less frequently.

The Census Bureau will continue to do their part to stay agile and pursue every way to improve the respondent experience and enhance the ACS over time.

Project - Improving Demographic Mapping Tools

This project is intended to improve and expand access to demographic survey content via enhanced mapping tool capabilities. Mapping tools for various surveys and programs have already launched while others are in development. Among these are mapping tools for metropolitan/micropolitan geographic areas, language use, small area income and poverty estimates (SAIPE), small area health insurance estimates (SAHIE), Community Resilience Estimates (CRE), international population estimates, and the HIV/AIDS Surveillance database. There are continuous additions, enhancements, and integration with other data access methods such as table lookup and visual charting using a standardized framework that reduces one-time customization for each survey or program. New and modern user interface releases were completed for <u>SAIPE</u>, <u>SAHIE</u>, CRE and the <u>International Database</u>.

Project - Census Flows Mapper

The <u>Census Flows Mapper</u> is an interactive online mapping and data dissemination tool that provides access to county-to-county migration data from the ACS. The tool substantially expands access to, and understanding of, the number and characteristics of county-to-county migration datasets generally were accessible only to expert data users and migration analysts. The Census Flows Mapper provides novice users with the ability to access and utilize complex county-to-county migration data that previously were beyond reach; experienced migration analysts can use the tool for exploratory analysis before delving deeper into the dataset.

The Census Flows Mapper's functionality makes it easy to visualize patterns of migration, as well as to produce multiple maps quickly to compare migration patterns for different counties. The ability to download data for a specific county and flows of interest allows the user the benefit of data tailored to their own analytical needs. The design of the map and the data download also provide information to their users that might otherwise be lost due to disclosure avoidance methodology when providing flow information by detailed characteristics. Having access to the full list of counties involved in any flow interaction with a selected county, and the ability to see spatial proximity by characteristic, even without the details, provides a wealth of information for both the experienced and novice user.

Project - TIGERweb

<u>TIGERweb</u> has made it easier and more efficient for users to access and view the full range of census geographic areas and features contained within the TIGER database - the Census Bureau' national geospatial database. Previously, TIGER data were available only as downloadable files for use in a Geographic Information System (GIS). Customers who lacked access to a GIS could only view census geographic area information on reference maps produced to support specific statistical data releases. To view boundaries and other information for the full range of geographic areas for which the Census Bureau tabulates data, a data user would have to access multiple reference map types and series. TIGERweb's online map viewer utilizes standard functionality to provide easy and open access to all census geographic areas, boundaries, relationships, and attributes. TIGERweb Web Mapping Service (WMS) and Representational State Transfer (REST) services have made it more efficient for developers to access and consume spatial data for use in their own GIS applications.

Project - Live Webcasting Public Events

To provide greater public access to information about their major programs and activities, the Census Bureau continues to broadcast a variety of events. Live broadcasts have included news briefings, technical webinars, and meetings with the <u>Census Scientific Advisory</u> <u>Committee</u> and <u>National Advisory Committee</u> on Racial, Ethnic, and Other Populations. The latest Census Bureau news is available on the <u>Newsroom</u> page and the <u>Census Bureau</u> <u>YouTube</u> site.

Project - QuickFacts

QuickFacts continues to be one of the most popular and widely used tools on census.gov. The original vision of this tool has not changed–in one or two clicks, customers of all skill levels get to profiles showing data from across programs. The agency has introduced a completely reimagined <u>QuickFacts</u>. The interactive QuickFacts has several exciting improvements, including customized tables that let users compare statistics for up to six locations side-by-side. Users can also view data on a map instead of a table. Additionally, to continue growing the agency's customer base, users can also now embed QuickFacts on their websites and share it in social media. QuickFacts includes profiles for townships and locations in Puerto Rico. The QuickFacts tool will be loaded with data from the 2022 Economic Census and 2022 Annual Business Survey in year 2024.

The Census Bureau regularly monitors customer feedback and has made improvements to the search by ZIP Code, table display, data browsing feature, data download feature, and much more.

Project - Census Geocoder

Launched in 2014, the <u>Census Geocoder</u> provides web services for geocoding addresses nationwide. The geocoder uses the publicly available <u>TIGER/Line</u> data as its data repository and makes it available for on-demand geocoding.

The geocoder is an address look-up tool that converts your address to an approximate coordinate and returns information about the address range. The geocoder is freely available to all government agencies, as well as the public. The tool allows you to look-up a single address or batch submit up to 10,000 addresses at a time. In April, 2024, the geocoder tool was updated to incorporate addresses in Puerto Rico, including adding "Urbanization" and "Municipio" fields.

Project - Response Outreach Area Mapper

The <u>Response Outreach Area Mapper (ROAM)</u> application was developed to make it easier to identify hard-to-survey areas and to provide a socioeconomic and demographic characteristic profile of these areas using ACS estimates in the <u>planning database</u>. ROAM helps communities tailor their outreach efforts that encourage residents to mail in their census forms.

Project - Map Applications (Viewers) for 2020 Census Operations

The Census Bureau released interactive map applications (viewers) that make data about 2020 Census operations more accessible to the public. The <u>Type of Enumeration Area</u> <u>Viewer</u> showed how households in various geographic areas were invited to respond to the 2020 Census, whether by self-response or by a method that requires a visit from a local Census Bureau worker. For self-response areas, the Mail Contact Strategies Viewer helped communities plan for the mailings that their area received for the 2020 Census. The In-Field Address Canvassing Viewer gave the public information about geographic areas that Census Bureau workers had to review during an in-person assessment rather than account for from imagery in the office. In the decade leading up to the 2020 Census, the Census Bureau completed a review of 65 percent of the nation's addresses in the office, resulting in significant cost avoidance for the 2020 Census. The Local Update of Census Addresses and New Construction Program viewers showed the level of government for an area participating in the programs and providing information to improve the Census Bureau address list. The Participant Statistical Areas Program viewer showed governments and organizations assisting in defining local data tabulation areas.

Project - Map Viewer in Support of the Committee on Foreign Investment in the United States The Geography Division worked with the Treasury Department and the Department of Defense (DoD) to create a map viewer in support of the Committee on Foreign Investment in the United States (CFIUS). CFIUS is an interagency committee authorized to review certain transactions involving foreign investment in the United States to determine effects on national security. CFIUS issued new regulations on February 13, 2020. The map viewer will allow members of the public to enter an address and determine whether their proposed real estate transactions are subject to CFIUS jurisdiction. The map displays geographies such as: urbanized areas and urban clusters provided by Geography Division and based on the 2010 Census, county boundaries provided by Geography Division, and military installations provided by the DoD. More information is available at <u>https://home.treasury.gov/policyissues/international/the-committee-on-foreign-investment-in-the-united-states-cfius/cfius-realestate-instructions-part-802.</u>

Project - 2020 and Current Address Count Listing Files Viewers

The Geography Division released the Address Count Listing Files viewers which supplements the Address Count Listing files with an interactive map of the same information. The viewer also includes AREA LAND and AREA WATER (in square meters). The map viewer includes total housing units (including transitory units), and total group quarters counts, by 2020 Census tabulation block. These housing unit and group quarters counts represent final counts for the 2020 Census. In addition, a Current Address Count Listing Files Viewer represents current count data, updated twice a year, so users can compare the current counts with both their data and 2020 Census data.

Project - Map Viewer in Support of the 2020 Census P.L. 94-171 Redistricting Data Summary Files Release

The Geography Division worked with the Census Redistricting and Voting Rights Data Office and the Demographics Directorate to create a map viewer to support the release of the P.L. 94-171 Redistricting Data Summary Files. These files were initially published in a format that requires additional processing to extract familiar tables of interest. This map viewer allowed data users to access the same data for a subset of high-profile geographies (tracts, counties, townships, states) and data points without having to conduct that additional processing.

Project - 2030 Census Memorandum Series

The 2030 Census Memorandum Series documents significant decisions, actions, and accomplishments of the 2030 Census Program for the purpose of informing stakeholders, coordinating interdivisional efforts, and documenting important historical changes. A memorandum is generally added to this series for any decision or documentation that meets the following criteria:

- A major program-level decision that affects the overall design or has a significant effect on the 2030 Census operations or systems.
- A major policy decision or change that affects the overall design or significantly impacts the 2030 Census operations or systems.
- A report that documents the research and testing for the 2030 Census operations or systems.

For the latest releases, please visit: <u>https://www.census.gov/programs-surveys/decennial-census/decade/2020/planning-management/plan/memo-series.html</u>.

Project - Creating a More User-Friendly Interface for Business Survey Respondents

Census Bureau business survey respondents now utilize a new interface, the Respondent Portal, when submitting responses electronically. The new system allows respondents to access self-service options, send and receive secure e-mail, and single-sign on to the internet reporting tool through one centralized portal with one set of credentials. Previously, respondents were mailed different usernames and passwords for each economic survey for which they were selected. Then, they had to enter the credentials separately to access selfservice options (requesting time extensions and viewing filing status), send secure e-mail, or report electronically. Managing separate passwords and navigating through multiple logins was cumbersome for respondents and provided the Census Bureau with security challenges surrounding the storage and usage of passwords. The E-correspondence system provides better customer service to respondents by reducing logins, providing easy access to selfservice options, and providing one central portal for reporting. The E-correspondence platform continues to support the Economic Directorate's push to expand the use of email and to rely largely on electronic reporting. This platform is now in use by most Econ programs, and migrations are planned for the remaining programs by 2027.

Project - Accelerating Economic Indicators

Over the past few years, the Census Bureau has worked to accelerate the release of economic indicators that provide critical information on internal trade, inventories, and services in the United States. The Census Bureau revised complex processes and ensured the accuracy of the statistics at the earlier release date, all while continuing to publish critical indicator data on a rigorous schedule. The acceleration of key statistics keeps data users better informed at a time when earlier access to information is needed for data-driven decisions and improves the accuracy of early estimates of gross domestic product produced by the Bureau of Economic Analysis. The Advanced International Trade release was completed in July 2015, Advanced Economic Indicator Report in July 2016, and the Advance Quarterly Services Report in February 2017. In addition, the Census Bureau is assessing the feasibility of accelerating the manufacturing indicators and construction indicator programs.

Project - Construction Modernization

Increasing survey costs, falling response rates, and the demand for more timely and granular measures from data users require the evolution of the way in which the Census Bureau does business. The Economic Directorate Construction Modernization project seeks to reengineer the measurement approach to the traditional construction surveys by utilizing alternative data sources, developing modeling techniques, and evaluating the use of satellite technology. These approaches would streamline and simplify data collection and processing efforts and result in much needed advancements in the quality, content, and timeliness of current and new data products. A Census Scientific Advisory Committee (CSAC) working group was formed in late 2019 to support this project.

Project - Making Economic Indicators More Accessible

The Census Bureau collaborated with a team at the St. Louis Federal Reserve and the Board of Governors to provide indicator data through their mobile application (FRED). In 2018, the Census Bureau saw an increase of more than 50 percent in downloads of indicator data through FRED than in the Census Bureau's previous America's Economy mobile app. Since the inclusion of the Indicator Programs, they have worked closely with the FRED team to broaden the use of Census Bureau data.

The Census Bureau continues to collaborate to produce even more data and release it through their mobile application as well as seek opportunities to speak at upcoming FRED events to increase the awareness of Census Bureau data.

Project - Webinar Series

The Economic Directorate has continued a series of webinars, "Exploring Census Data," designed to make the public more aware of the vast amounts of data the Census Bureau has on vitally important topics. The series endeavors to make the public aware of the full depth of data contained at the Census Bureau across all directorates. These monthly webinars are also recorded and can be accessed anytime on <u>census.gov</u>. Topics include:

- Using Census Data: A Case Study & Data Tools Walk Thru
- Minority Businesses & Equitable Data
- Using Public Data to Make Decisions
- Services in the U.S.
- Gems of Census Data
- 2022 Economic Census & Island Area

A second series of webinars focuses on the Longitudinal Employer-Household Dynamics (LEHD) data and data tools. Topics include employment travel patterns, job recovery/transitions and gender gaps in employment. These monthly webinars are also recorded and can be accessed anytime on <u>census.gov</u>.

The Census Bureau also partners through webinars with other government agencies to help them promote their international trade mandates such as trade promotion, education, and enforcement. The Census Bureau has hosted webinars for the State Department, Bureau of Industry and Security, Export-Import Bank, Small Business Administration, International Trade Administration, District Export Councils, and others.

Project-The Opportunity Project

<u>The Opportunity Project (TOP)</u> is a process for engaging government, communities, and the technology industry to create digital tools that address their greatest challenges as a nation. This process helps to empower people by using technology to make government data more accessible and user-friendly and facilitate cross-sector collaboration to build new digital solutions.

TOP connects tech developers, local leaders, and nonprofits with problem statements on issues like jobs, transportation, and housing, and facilitates user-centered tech development sprints to create new digital solutions.

Federal Advisory Committees

The Census Bureau follows the Federal Advisory Committee Act or FACA, which governs the establishment and operation of advisory committees. Currently, the Census Bureau has three chartered advisory committees: the <u>Census Scientific Advisory Committee (CSAC)</u>, the Census Bureau <u>National Advisory Committee on Racial, Ethnic, Other Populations (NAC)</u>, and the 2030 Census Advisory Committee (2030 CAC). Having committee members representing the national demographics and specific fields of expertise aids the agency with its mission and innovation goals. The committees provide feedback for their operations, programs, methodologies, technologies, outreach, and current and new developments.

The agency strives to ensure transparency and openness in all the advisory committees' activities and proceedings. The public has access to the deliberations, along with time to comment on all the proceedings, in person or in writing. The Census Bureau advisory committee meetings are widely advertised and transmitted via the Census Bureau YouTube channel.

Experimental Data Products

Experimental data products are innovative statistical products created using new data sources or methodologies that benefit data users in the absence of other relevant products. This has been a great way to test out new methods or new types of data products and the Census Bureau is actively seeking feedback from data users and stakeholders on the quality and usefulness of these new products. Some examples of recent experimental data products include, Monthly State Retail Sales, Manufacturing Industrial Robotic Equipment, Monthly Real Dollar Estimates of Wholesale Sales, Justice Outcomes Explorer (JOE), Commodity Flow Survey - Expanded Hazardous Materials (CFS-EHM) Estimates, Cannabis Excise Sales Tax Collections, and Census Bureau Index of Economic Activity (IDEA).

Privacy Day Event

Privacy Day is an annual event that provides a forum for Census Bureau employees and contractors to discuss current data protection and privacy policy and to generate ideas to help evolve the current policies. The event offers a variety of workshops about major Privacy and E-Government Act requirements, as well as other tools available for protecting their customers' privacy.



Economic Development Administration (EDA)

EDA leads the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. EDA's investment policy is designed to establish a foundation for sustainable job growth and the building of durable regional economies throughout the United States. This foundation builds upon two key economic drivers, innovation and regional collaboration. Innovation is key to global competitiveness, new and better jobs, a resilient economy, and the attainment of national economic goals. Regional collaboration is essential for economic recovery because regions are the centers of competition in the new global economy and those that work together to leverage resources and use their strengths to overcome weaknesses will fare better than those that do not. EDA encourages its partners around the country to develop initiatives that advance new ideas and creative approaches to address rapidly evolving economic conditions.

As the only federal government agency focused exclusively on economic development, EDA plays a critical role in fostering regional economic development efforts in communities across the nation. Through strategic investments that foster job creation and attract private investment, EDA supports development in economically distressed areas of the United States.

Guided by the basic principle that communities must be empowered to develop and implement their own economic development and revitalization strategies, EDA works directly with local economic development officials to make grant investments that are well-defined, timely, and linked to a long-term, sustainable economic development strategy. EDA's flexible programs and structure enable nimble operations and allow for innovation and responsiveness to changing economic needs and conditions faced by its local and state government partners. Grants made under these programs are designed to leverage existing regional assets to support the implementation of economic development strategies that advance new ideas and creative approaches to advance economic prosperity in distressed communities.

EDA's economic footprint is wide, and its toolbox is extensive, including technical assistance, post-disaster recovery assistance, trade adjustment support, strategic planning and research and evaluation capacity, thereby allowing the agency to offer the most effective investment to help communities succeed in the global economy.

In August of 2022, Congress gave EDA two new authorities that will greatly enhance its toolbox: the Regional Technology and Innovation Hub (Tech Hubs) and Distressed Area Recompete Pilot Programs (Recompete). Tech Hubs aims to **strengthen U.S. economic and national security** with investments in regions across the country with assets and resources with the potential to become globally competitive in the technologies and industries of the future—and **for those industries, companies, and the good jobs they create, to start, grow, and remain in the United States.** This program brings together diverse public, private, and academic partners into collaborative consortia focused on driving inclusive regional growth. With their existing innovation assets as a foundation, these Tech Hubs will build the workforce of the future; enable businesses to start and scale; and deploy and deliver critical and emerging technologies.

The Recompete Program will invest in economically distressed communities to create and connect people to good jobs. This program will create renewed economic opportunities in communities that have for too long been forgotten. To do so, the program targets areas where prime-age (25-54 years) employment significantly trails the national average, with the goal to close this gap through large, flexible investments.

These two new programs will significantly expand EDA's ability to promote innovation through new Tech Hubs and reach extremely distressed communities through Recompete.

Open Data

EDA employs open government standards to help communities develop strategic plans, locate and evaluate regional clusters, explore existing innovation capacity, and maximize the

return on infrastructure investments. These include the dissemination of data tools and research reports that EDA makes freely available on its website.

For prospective grantees, EDA makes all funding opportunity notices available on <u>www.grants.gov</u> and its funding opportunities <u>website</u>. EDA also has a dedicated webpage providing resources for existing grantees, including training on the use of EDA's online grants portal (EDGE) and links to various grant and performance-related forms at <u>https://www.eda.gov/resources/managing-your-eda-grant</u>. Numerous other resources, such as EDA's major investment programs and investment priorities, EDA's implementing regulations, a summary of EDA performance metrics, Annual Reports from Fiscal Year 2007 to 2022, economic development tools and reports, and a state-by-state directory of economic development resources are also available on <u>www.eda.gov</u>.

Since the last Open Government Plan, EDA has redesigned its website to be more userfriendly and easier to navigate and make performance data more accessible. See <u>https://www.eda.gov/performance</u>. In addition, EDA has made webinars and FAQs related to its new Tech Hubs and Recompete Programs available on its website during EDA's most extensive outreach campaign in its history.

Privacy

EDA takes seriously its responsibilities to protect privacy, including PII and BII information. EDA ensures its employees are adequately trained on privacy requirements and follows DOC procedures for reporting, responding to, and mitigating any breaches of PII. EDA does not engage in data mining.

EDA maintains a number of webpages to communicate its privacy policy for the EDA.gov domain (<u>https://www.eda.gov/privacy/policy</u>) as well as its privacy program (<u>https://www.eda.gov/privacy</u>). EDA's privacy program provides an overview of governmentwide and Department of Commerce Privacy Act implementation rules and policies on privacy; descriptions of the major privacy laws, policies, and guidance; directions on how to make privacy related inquiries; a link to the Privacy Impact Assessment conducted on EDA's IT systems; and information on how EDA does not maintain any Privacy Act System of Records or have any matching notices or agreements.

Whistleblower Protection

EDA strictly adheres to all anti-discrimination and whistleblower requirements. EDA is fully compliant with the Department's No FEAR Act Policy.

Websites

EDA maintains one domain, <u>www.eda.gov.</u> Through this website, EDA disseminates information related to economic development to the public, communities, and prospective and current grantees. Throughout 2024, EDA's website presence was particularly active as it published FAQs, webinars, and other guides for EDA's new Tech Hubs and Recompete programs. The website complies with the Department's policies and best practices. EDA follows the Department's digital strategy, which can be found at: https://www.commerce.gov/digitalstrategy.

Transparency

EDA actively contributes to and participates in Data.gov, Grants.gov, eRulemaking, IT Dashboard, CFDA.gov, and USAspending.gov.

Public Notice

EDA utilizes a variety of methods to keep the public contemporaneously aware of its initiatives, funding opportunities, programs, resources, and events. The primary tools for this are EDA's Newsroom, available at: <u>https://www.eda.gov/news/</u>, the <u>EDA blog</u>, and its social media feeds: Twitter @US_EDA, Instagram usedagov, Facebook eda.commerce, YouTube EDACommerce, and <u>LinkedIn</u>.

EDA's records management specialist takes lead responsibility for ensuring EDA complies with all applicable record retention and archival regulations. EDA is following the Department's guidance on moving to electronic records.

Freedom of Information Act (FOIA) Requests

All EDA FOIA requests are reviewed and responded to promptly. EDA does not have a backlog of FOIA requests. Requests may be submitted electronically through the Department's e-FOIA system or directly to EDA or its regions. EDA's FOIA reading room is used to proactively disclose the most frequently requested documents and contains over 4,600 pages of materials. General FOIA information can be found at <u>https://www.eda.gov/foia/</u> and the reading room can be found at <u>https://www.eda.gov/foia/disclosures/.</u>

Proactive Disclosures

EDA proactively makes documents available through its Freedom of Information Act (FOIA) reading room which contains over 4,600 pages of materials. The reading room can be found at <u>https://www.eda.gov/foia/disclosures/.</u> EDA also made project narratives for its major American Rescue Plan Act programs, including the Good Jobs Challenge and the Build Back Better Regional Challenge, available on its website. More recently, EDA posted project narratives for the winners of its Phase 1 Tech Hubs and Recompete Programs and anticipates making similar narratives available as Phase 2 of those competitions close in 2024.

Congressional Requests

EDA handles Congressional requests through its Legislative and Intergovernmental Affairs Division (LIAD). LIAD responds to all incoming communication from Members of Congress and keeps all records of those correspondences and responses. The Office of the Executive Secretariat, a sub-office within LIAD, has primary responsibility for logging in the correspondence, including the date received, and closing out the action upon completion. The Office of the Executive Secretariat also has responsibility for conducting research and informing the Director of LIAD of any issues related to the subject of communication. Finally, the Office of the Executive Secretariat is responsible for obtaining the necessary clearances and signatures. All correspondence must be closed out within a two-week period, unless special circumstances prevent the completion within that time frame. In those instances, files are documented accordingly, and the Congressional office is contacted.

Declassification

EDA does not have statutory or delegated authority to classify or declassify information. EDA supports the Department's declassification program by providing subject matter expertise when material is presented with EDA mission equities.

Participation

Through resources such as its Economic Development Representatives, EDA works directly with local economic development officials to make them aware of the resources available to them through EDA's various grant programs. EDA also proactively reaches out to prospective and current grantees, stakeholders and local communities directly and at meetings and conferences to help them align community needs with EDA's mission, clarify EDA grant requirements and apprise them of EDA and other Federal economic development funding opportunities.

Collaboration

EDA has been designated by OMB to serve as the federal government's lead integrator for economic development. As the lead integrator of Federal economic development investments, EDA's role is to facilitate planning, collaboration and coordination among participating Federal agencies to ensure that: Federal resources are invested in support of locally-identified strategies and projects designed to produce transformational economic diversification and workforce development outcomes; and multiple Federal economic development resources are successfully aligned and invested to support various projects in discrete, non-duplicative activities.



International Trade Administration (ITA)

The International Trade Administration (ITA) strengthens the competitiveness of U.S. industry, promotes trade and investment, and ensures fair trade through the rigorous enforcement of trade laws and agreements. ITA works to improve the global business environment and helps U.S. organizations compete at home and abroad. ITA is the leading U.S. Government resource for American companies competing in the global marketplace. ITA's efforts to promote exports and foreign direct investment into the

United States support the nation's sustained economic growth, in part by providing actionable

information to U.S. companies, foreign buyers of U.S. goods and services, and foreign investors on opportunities that create jobs in the United States.

In this plan, ITA describes efforts to make its work transparent and accountable, following the principles of transparency, participation, and collaboration as described in the Openness Promotes Effectiveness in our National (OPEN) Government Act of 2007. ITA has also included in this plan its efforts under the OPEN Government Data Act, enacted in 2019, to publish its information online as open data, using standardized, machine-readable data formats, with their metadata included in the Data.gov catalog.

ITA makes its data publicly available through the <u>Trade Developer Portal (TDP)</u>, a collection of Application Programming Interfaces (APIs) that allow software developers to create web and mobile applications using information produced by ITA and other U.S. Government trade promotion agencies.

Currently, ITA has six APIs available for public use that are sourced from ITA, the Department, and other trade agency data. These APIs provide information about business service providers, trade events, foreign de minimis and VAT amounts, and locations of domestic export assistance centers and ITA's international offices. ITA's most popular API is the Consolidated Screening List (CSL). The CSL includes 13 export screening lists published by the Departments of Commerce, State, and the Treasury. ITA combines these separate lists into a single data feed as an aid to industry for electronic screening of potential parties to transactions.

ITA routinely works with customers, responding to questions and assisting where appropriate with their integration efforts. During FY22 Q1, ITA moved the CSL API to an ITA standard platform, reducing the cost of the service and its maintenance. Since that time, the CSL has stabilized and increased in popularity. During FY23, CSL had 1034 distinct users, an increase of 24.4% over the number of users in FY22. These users made 245.4 million API calls and downloaded the full CSL 4.1 million times, increases of 68.4% and 57.7% respectively. During this same time, the number of incoming support requests decreased from 203 to 89, illustrating the stability and increased user friendliness of the new platform.

Steps to Encourage Public Use, Promote Public Knowledge, and Foster Innovation In addition to providing data as APIs, ITA continues to provide data to the public through a variety of search, analysis tools and data visualizations. In FY23, ITA has continued to modernize and add to its data offerings, launching new data visualizations on key trade topics, such as Supply Chains, and incorporating dynamic visualization elements where appropriate. Below are examples of these data visualizations that can be seen on trade.gov:

- Draft List of Critical Supply Chains
- PPI Industry Data for Refrigerated Warehousing and Storage, not seasonally adjusted
- Overview of U.S. Greenhouse Gas Emissions by Economic Sector & Mode of U.S. Freight Transportation

Dynamic data visualizations make complex data more accessible and easily understandable to diverse public audiences. ITA has made data visualization tools available to its workforce, enabling them to make ITA's data offerings more easily accessible to its customers. ITA provides interactive tools to update and improve access to popular data products, including:

- <u>Trade Stats Express</u>
- Jobs Supported by Exports

In addition, ITA continues to provide key data resources that allow U.S. companies to explore global markets and take advantage of U.S. FTAs. These include:

- <u>Market Diversification Tool</u>
- FTA Tariff Tool

ITA is the original U.S. Government data source for statistics on international travel and tourism. To complement its statistics collected through the Survey of International Air Travelers (SIAT) Program, <u>I-94 Arrivals Program</u>, and the <u>International Air Travel Statistics (I-92)</u> Program, ITA provides interactive data tools to allow public audiences to explore its travel and tourism data, including:

- <u>Survey of International Air Travelers (SIAT) Survey Monitors</u>
- I-94 Visitor Arrivals Monitors
- <u>NTTO Travel Industry Monitor</u>
- U.S. States and Cities Visited Monitor
- I-92 International Air Passenger Traffic Monitor
- Monthly Trade Monitor

The complete suite of public data tools and infographics can be found at: <u>https://www.trade.gov/trade-data-analysis.</u>

In accordance with the Foundations for Evidence-Based Policymaking Act of 2018, ITA provides a list of public-facing datasets at <u>https://www.trade.gov/data.json</u>. ITA is also working to implement an enterprise-wide data governance platform that will provide ITA with the ability to scan and auto identify data assets, apply classifications and sensitivity labels to data assets, relate data assets to applicable System of Records Notices (SORNs), describe data assets to make them more easily shareable, and provide ITA with a data catalog of shareable datasets to further enhance ITA's ability to make decisions based on data.

Privacy

ITA completes the annual Federal Information Security Management Act (FISMA) report and submits it to the Senior Agency Official for Privacy (i.e., Executive Council for Privacy, through the Department's Chief Privacy Officer). Potential breaches of the Privacy Act (PA), personally identifiable Information (PII), or business identifiable information (BII) are reported in compliance with the Department's <u>PA, PII, and BII Breach Notification Plan</u>. For the breach

of PII incident reports, ITA files the initial breach incident reports with the Chief Privacy Officer and the DOC Computer Incident Response Team (CIRT), which maintains a report on all PII breach incidents.

Whistleblower Protection

ITA takes seriously its commitment to the Whistleblower Protection Act. ITA performs the following activities in support of Whistleblower Protection:

- Information about Whistleblower Protection and ITA's commitment to it is included in ITA's periodic New Employee Briefings.
- ITA invites the Office of the Inspector General Ombudsman annually to brief Office Directors on Whistleblower Protection and to respond to their questions.
- ITA's Deputy Under Secretary sends an annual statement to ITA's workforce reasserting ITA's commitment to Whistleblower Protection.
- Once a year, ITA includes an article in the Office of the Chief Financial and Administrative Officer "News You Can Use" publication, reminding staff about Whistleblower Protection and ITA's commitment to it.
- The Office of the Chief Financial and Administrative Officer intranet site contains a section on Whistleblower Protection so that ITA employees can research the topic independently.

Websites

ITA provides clients with digital access to encyclopedia trade and export information, products and services through websites. ITA's websites include experiences based on user needs, modeled on modern design principles, accessibility, mobile friendliness, search functionality and quality assurance. ITA continues to modernize its digital experiences into more cohesive and customizable experiences to better connect citizens, U.S. businesses, customers, and audiences with the digital trade content, export data, events and services they seek and need.

ITA continues to make its information directly available to partners and other interested third parties via open data tools and APIs, further expanding ITA's public engagement to sites that integrate content for the business and export communities outside of ITA's own digital properties.

ITA's website includes information regarding trade agreements and trade barriers. U.S. exporters may digitally file a complaint about foreign government trade barriers through an online form putting clients directly in contact with ITA's Enforcement and Compliance business unit.

Transparency

ITA actively contributes to Data.gov. The agency currently has 56 datasets posted to <u>Data.gov</u>. In addition, ITA business units provide online access to a variety of data, reports, resources, and other critical information that keeps the public up to date on the agency's activities, for example:

- ITA provides access to public versions of documents submitted to the record of Antidumping and Countervailing Duty cases through the <u>ACCESS</u> system.
- The staff provides updated information on all existing and potential foreign-trade zones, including announcements of open public comment periods and case status, on the website.
- ITA provides antidumping and countervailing duty fact sheets, which inform importers, Customs brokers, and other public stakeholders of the duty rates that will go into effect on certain imported products.
- The <u>Industry Monitoring and Analysis Unit</u> provides detailed statistical analysis about the U.S. and global <u>steel</u> and <u>aluminum</u> industry on the public website. This includes 40 written reports on the top global steel exporting and importing countries, an interactive steel trade monitor allowing for public access to information regarding this important sector facing negative impacts in part from global excess capacity. This also includes current U.S. import monitors about steel and aluminum, which draw from import licenses.

ITA routinely evaluates the data on Data.gov and the TDP for timeliness, accuracy, and relevancy to API customers. ITA will continue to add new datasets as they become available and retire datasets when they are no longer needed.

Public Notice

ITA utilizes a variety of methods to keep the public aware of its initiatives, trade remedy actions, programs, resources, and events. For example, ITA has advisory committees on many industries and topics critical to U.S. economic competitiveness. Committee members represent a diverse array of views and interests from the U.S. private and public sector. Their advice is used by ITA and the Department to design policies and programs that keep the United States competitive in a global economy and achieve the Department's goals for trade and investment.

Below is a list of ITA's advisory committees as of January 2024:

- Advisory Committee on Supply Chain Competitiveness
- Civil Nuclear Trade Advisory Committee
- Department of Commerce Trade Finance Advisory Council
- Environmental Technologies Trade Advisory Committee
- Industry Trade Advisory Committee on Aerospace Equipment
- Industry Trade Advisory Committee on Automotive Equipment and Capital Goods
- Industry Trade Advisory Committee on Chemicals, Pharmaceuticals, Health Science Products and Services
- Industry Trade Advisory Committee on Consumer Goods
- Industry Trade Advisory Committee on Customs Matters and Trade Facilitation
- Industry Trade Advisory Committee on Critical Minerals and Nonferrous Metals
- Industry Trade Advisory Committee on Digital Economy
- Industry Trade Advisory Committee on Energy and Energy Services
- Industry Trade Advisory Committee on Forest Products and Building Materials

- Industry Trade Advisory Committee on Intellectual Property Rights
- Industry Trade Advisory Committee on Services
- Industry Trade Advisory Committee on Small, Minority, and Woman-led Business
- Industry Trade Advisory Committee on Standards and Technical Trade Barriers
- Industry Trade Advisory Committee on Steel
- Industry Trade Advisory Committee on Textiles and Clothing
- Industry Trade Advisory Committee of Chairs
- President's Advisory Council on Doing Business in Africa (Presidential advisory committee administered by ITA)
- President's Export Council (Presidential advisory committee administered by ITA)
- Renewable Energy and Energy Efficiency Advisory Committee
- United States Manufacturing Council
- United States Investment Advisory Council
- United States Travel and Tourism Advisory Board

ITA's foreign direct investment program, SelectUSA, regularly distributes information about its programs, resources, and other events via email blasts and social media. SelectUSA sent emails to interested parties during the planning stages for its annual SelectUSA Investment Summit, recruiting for the event, providing a platform for economic development organizations, and spreading the news about job-creating business investment projects. SelectUSA's social media account regularly reaches tens of thousands of users.

The SelectUSA Investment Summit is the premier event in the United States dedicated to promoting foreign direct investment (FDI). The Investment Summit is a one-stop shop for companies expanding to the United States and provides economic development organizations (EDOs) with the opportunity to meet directly with international companies to facilitate investment deals. The SelectUSA Investment Summit has directly helped generate over \$98 billion in new U.S. investment projects, supporting more than 81,000 jobs across the United States and its territories.

The FY23 SelectUSA Investment Summit saw record-breaking numbers with over 4,900 participants, representation from 55 U.S. states and territories, and over 83 international markets. The event featured remarks from President Biden, participation from six Cabinet members, 16 U.S. state and territory governors, over 230 world-class speakers and over 700 economic development organization representatives attended. Twenty-one U.S. Ambassadors and Chiefs of Mission led foreign delegations to the Investment Summit.

ITA's Global Markets U.S. & Foreign Commercial Service unit, frequently shares program information with the U.S. business community through its network of more than 200,000 e-mail subscribers. In addition, U.S. & Foreign Commercial Service staff present at hundreds of local events each year to raise awareness of ITA programs and services and to conduct targeted outreach and recruitment of the U.S. businesses community as opportunities, trade leads, trade missions, and events arise.

ITA also publishes and maintains on trade.gov a complete line of free information resources for U.S. exporters and potential exporters. These information products include popular

"Export Solutions" trade education articles and videos, authoritative Country Commercial Guides for more than 130 countries, more than 600 timely and actionable Market Intelligence articles, and a number of in-depth industry guides. In the past year, ITA achieved major improvements in the quality of this online information, including the removal of 1,300 broken web links. These quality improvements have made this information more widely accessible to all public users searching online (e.g., Google). Video remains a popular way to engage and educate exporters. ITA updated its online trade education videos, including the popular "Exporting Basics" series, which has now drawn nearly 600,000 video views. These updates helped grow ITA's YouTube following by another 3,200 subscribers to 19,900 total subscribers. ITA continues to raise public awareness of these resources through targeted email and social media outreach. The "What's New in Exporting" email service has more than 160,000 subscribers. OSE-managed exporter-focused social media accounts have approximately 34,000 Twitter followers, 21,000 Facebook followers, 29,000 LinkedIn showcase page followers, and 8,000 LinkedIn group members.

Records Management

ITA's Records Management Program has embarked on the following initiatives to ensure compliance with the Federal Records Act, related NARA regulations, and M-23-07, the joint OMB and NARA Memorandum entitled *Update to Transition to Electronic Records*:

Records Management Policy Update

ITA's Records Management Program promulgated the agency records management policies that govern all ITA records based on the concept of a record's lifecycle, which has three stages: creation, maintenance, and disposition. The updated directives fully comply with the statutory and regulatory requirements of the Federal Records Act and other relevant guidance issued by NARA and OMB. The policies are modernized and comprehensive with all associated aspects of electronic records management, such as email records management, the use of electronic messaging applications, and data retention of electronic information systems.

ITA Records Schedules Modernization

To make records schedules more suitable to the context of full electronic records and information management, as M-23-07 directs, ITA is modernizing the agency records schedules to "big bucket" records schedules with function-based and media neutral features. The modernized records schedules will be easily incorporated into the design of electronic systems for systematic records management. Once fully implemented, the clarified records ownership and updated flexible records series will significantly reduce records and data redundancy, which will contribute to Open Government and e-discovery goals.

Full Electronic Records Management

ITA's Records Management Program has set and has been implementing a detailed action plan to manage all ITA records electronically to the fullest extent possible by June 2024, as M-23-07 directs. Within FY24, ITA will manage all permanent records in an electronic format with appropriate metadata (Goal 1.2 of M-23-07) and manage all

temporary records in an electronic format by June 2024 (Goal 1.3). The new ITA records management policies direct full electronic records management starting from January 1, 2023, with no new paper records to be created or processed after that date.

Freedom of Information Act (FOIA) Requests

ITA has the capacity to analyze, coordinate, and respond to FOIA requests. In FY 2023, ITA increased the amount of FOIA case closures by an unprecedented 50%. ITA has consistently increased the number of case closures over the last three years despite the exponential increase in incoming cases with limited staff. With technological advances, like the implementation of the new e-discovery platform, ITA's trajectory indicates that there will be a significant reduction in overall response time.

ITA conducts electronic records searches on a network-wide level. This process allows for faster and more comprehensive electronic record searches. To ensure effective processing of FOIAs and increase transparency, ITA FOIA liaisons and subject matter experts (SMEs) are provided with technical support and training regarding FOIA guidelines. In addition, SMEs are trained in best practices for performing searches and are provided electronic tools to streamline the redaction process, which reduces document release time in support of open government and transparency. In FY 2024, ITA will continue to provide training to FOIA liaisons and SMEs. ITA also implemented the use of an e-discovery tool in FY 2023. FOIA links: FOIA program, Office of Privacy and Open Government, Code of Federal Regulations, FOIA reports.

Proactive Disclosures

ITA has utilized <u>FOIAXpress</u> to process all FOIA requests since the beginning of FY 2023. If a requestor submits a request other than through FOIAXpress, ITA uploads the request into <u>FOIAXpress</u> to be processed. Once a request is in the system, the public has electronic access to what is being requested and where the FOIA request is in the FOIA process. If responsive records are located and can be released, they are publicly disclosed electronically through FOIAXpress.

As reported in the FOIA Annual Report, ITA has actively engaged in proactive disclosures that are fundamental to open government and the faithful application of the FOIA. ITA's proactive disclosures systems include:

- The <u>Tariff Tool system</u>, previously mentioned in the section entitled Steps to Encourage Public Use, Promote Public Knowledge, and Foster Innovation, consolidates and distills thousands of pages of U.S. Free Trade Agreement (FTA) tariff commitments down into a simple, online);
- <u>ACCESS</u>, previously mentioned in the section entitled Steps to Encourage Public Use, Promote Public Knowledge, and Foster Innovation, is the repository for all records filed in anti-dumping and countervailing duty (AD/CVD) proceedings. ACCESS provides the

capability for registered E-Filers to submit documents to the record of an AD/CVD proceeding and allows the public to view versions of all documents submitted; and

 The National Travel and Tourism office utilizes the <u>ADIS/I-94 Arrivals Program</u>, previously mentioned in the section entitled Steps to Encourage Public Use, Promote Public Knowledge, and Foster Innovation, to provide monthly statistics on arrival and departure information to and from the United States.

Congressional Requests

ITA's Office of Legislative and Intergovernmental Affairs (OLIA) analyzes and responds to Congressional requests for information. ITA follows the Department's guidelines related to public disclosure of Congressional requests and agency responses.

Declassification

ITA does not have statutory or delegated authority to classify or declassify information in accordance with E.O. 13526, Classified National Security Information. This authority, referred to as Original Classification Authority (OCA) outlined in Part 1 of E.O. 13526, resides with the President, Vice President, agency heads and designated officials, and other U.S. Government officials to the extent delegated.

ITA supports the Department's declassification program by providing subject matter expertise when material is presented with ITA mission equities. The subject matter expert, normally the Deputy Assistant Secretary for the area, reviews the material and makes a recommendation to the Department for declassification. Those recommendations are approved by ITA's Deputy Under Secretary and forwarded to the Department for final determination and action.

Participation

ITA depends on the continued participation of its public and private sector clients and stakeholders to carry out its mission. ITA assisted more than 31,000 companies from all 50 states and including urban and rural localities in FY21, with the vast majority (86 percent) being small and medium-sized enterprises. On average, as a result of ITA's assistance, clients reported that they increased their annual company revenue by seven percent. ITA staff members throughout the world are committed to providing excellent customer service - eight out of 10 clients would likely recommend ITA's assistance. Clients highly value ITA's local and global network of trusted, impartial, and dedicated professionals with specialized knowledge and affordable services that otherwise would not be available to them. Delivering on this value while maintaining such high customer service requires the use of a multitude of tools.

ITA is taking advantage of new technologies and communications platforms to get its products and services into the hands of its customers. ITA's business units are also developing new approaches to meeting the needs of stakeholders. Some prime examples include:

 ITA sponsored its annual <u>Discover Global Markets (DGM)</u> Business Forum Series in selected cities around the country in fall of 2024. The one-day program will allow attendees to tap into ITA's global expertise and to explore opportunities in key industry sectors that offer high export potential. ITA actively recruits attendees through the <u>trade.gov</u> web portal, Twitter, LinkedIn, and Facebook.

- ITA organizes the <u>Trade Winds Series</u>, an annual business development forum and trade mission which connects U.S. clients with businesses and government officials in markets around the world. Trade Winds forums have been held since 2008 in Turkey, Poland, Brazil, Mexico, Singapore, South Korea, Colombia, South Africa, Chile, Romania, India, UAE, and Thailand, with additional mission stops covering regions in Europe, Asia, Latin America, and Sub-Saharan Africa. The series has provided a forum for business matchmaking and growing U.S. exports to 46 countries. Consisting mostly of small and medium-sized manufacturers, attendees hailed from 48 states. The Trade Winds program has been attended by more than 1,000 U.S. companies and generated nearly 7,000 meetings with U.S. commercial diplomats and more than 4,500 business-to-business matchmaking meetings. Companies have reported more than\$3.4 billion in sales because of their participation in the program. Trade Winds 2024 was held in Istanbul, Turkey, and attendees utilized a matchmaking platform to schedule one-on-one meetings with U.S. commercial officers and specialists from 30 countries.
- The eCommerce Solutions Center (ESC) helps U.S. business adapt and grow in the global digital economy through resources like the <u>eCommerce Frontline Library</u>, while promoting administration priorities such as global diversity export initiative (GDEI) and the Rural Export Centers on client-facing outreach coordinated through local commercial service (CS) Offices. The ESC supports the National Export Strategy (NES) in promoting the use of ecommerce and digital tools through management of resources like the <u>eCommerce BSP Directory</u>, used as <u>WGR Service</u> for website optimization service provider referral follow-up for clients. The online content managed by the ESC receives over 1.6 million views annually, traffic which is supported in part by ESC managed outreach events such as the <u>Grow Your Exports Series</u> and <u>Go Global: Amazon Marketplace Workshops</u> with ITA Strategic Partners.
- By bringing international resources, including international expertise and export counseling, to rural areas, ITA's <u>Rural Export Centers</u> help rural companies bring their products to world markets and help attract foreign direct investment into rural America. From customized market research to committed outreach to rural communities across the country, International Trade Specialists help rural companies leverage ITA staff in more than 100 offices throughout the United States and U.S. Embassies and Consulates in more than 78 markets around the world.

Collaboration

ITA houses the Trade Promotion Coordinating Committee Secretariat. The <u>Trade Promotion</u> <u>Coordinating Committee</u> (TPCC) is an interagency body that develops the government-wide strategic plan for carrying out Federal export promotion and export financing programs. A goal of the TPCC is to foster coordination among trade agencies to make it easier for U.S. exporters to access the information and assistance they need to start or expand exporting. The TPCC consists of 20 U.S. Government departments and agencies and is chaired by the Secretary of Commerce. Since Congress mandated the establishment of the TPCC in the early 1990s, the interagency committee has coordinated and developed government-wide priorities for federal trade promotion efforts.

The TPCC develops the National Export Strategy, which outlines actions that the U.S. Government is pursuing to better equip American companies and workers to compete globally and grow through international trade. The Strategy highlights government programs and resources to assist U.S. businesses - including small and medium enterprises, historically underrepresented businesses, and those new to exporting - overcome barriers to trade.

Project - Developing a 21st Century Digital Presence to Better Serve Customers

What's New - Improving communications with the public by utilizing all available online and social media platforms and channels

ITA's 21st century digital presence continues to better serve customers and stakeholders and adheres to the tenets of the 21st Century Integrated Digital Experience Act. ITA continues to add and refine features to its best-in-class digital technology platform, providing ITA with the flexibility to serve its digital needs for years to come. Additionally, the digital team is continuing to work with experts from across ITA to execute the organizational change management necessary to unlock the full capabilities of the new digital strategic direction for ITA to better serve customers and stakeholders in the ever-evolving digital landscape.

Project - Industry & Analysis Digital Assistance Pilot

What's New - Industry & Analysis (I&A) has concluded a Digital Assistance Pilot to produce actionable insights that guide strategic business decisions focused on customer needs for the Market Development Cooperator Program (MDCP).

In FY23 Q3, ITA's I&A unit concluded the Digital Assistance Pilot. The pilot focused on a digital external outreach campaign, improving customer experience, increasing webpage engagement, and increasing preapplication counseling sessions for the MDCP. The pilot was highly successful. Below are the high-level outcomes of the pilot:

- An overall 34% increase in user engagement with the MDCP web pages in FY23 compared with the same period in FY22.
- During the pilot, syndication or promotion of the MDCP web page on visitors' social media accounts increased by 638% (e.g., promoted the page on their Twitter, LinkedIn, and/or Facebook accounts). As a result, by raising awareness and increasing lead generation, it allowed ITA to reach a larger audience than it would if ITA only posted that same content only on the website. Content syndication also offered ITA the opportunity to build credibility among target audiences, particularly underserved communities, and drive them back to MDCP webpages on trade.gov.
- During the pilot, visits coming from social media channels increased by 78%. Social media contributed to brand awareness for ITA, increasing exposure of the MDCP

content to drive increased targeted traffic and engagement as evidenced by the overall increased engagement this year with the web content.

- Based on user testing feedback from target audiences (including underserved groups), I&A produced and published five new MDCP videos for the FY23 campaign. End users visiting the MDCP webpages during the campaign found value in the new videos as evidenced by metrics showing 1195 total video views.
- For each pre-application counseling session, the MDCP team holds approximately 2.5 meetings per counseling case. During the pilot period ITA saw greater awareness and increased interest in the program, increasing the number of preapplication counseling sessions for the FY23 competition by 97% over the previous year's FY22 competition. This number does not include the inquiries by ineligible organizations.
- During the Sprint of FY23, ITA received responses to its second annual customer experience survey to I&A's customers seeking feedback on existing services, needs, and interests. MDCP awardees provided feedback showing a customer satisfaction score of 9.9 for Likely to Recommend and 9.6 for Objectives Met, using a scale of one to ten with one being the lowest and ten being the highest.

Based on feedback from the FY22 campaign, including customer perceptions that they did not have the time to fill out an application, we believe the current application process could be improved for potential eligible stakeholders, particularly underserved groups. In FY23, I&A worked to improve the process by providing clear and concise guidelines of the application process to help potential applicants better understand the requirements and expectations of the program. I&A offered this help in a variety of formats to appeal to different audience perceptions. As noted previously, I&A offers pre-application assistance, and increased its outreach efforts to grow the application pool. In FY23Q4, I&A continued to improve the application customer experience to further increase and broaden the number of successful eligible organizations who contribute to the program's goals of expanding U.S. exports and creating jobs. The Team intends to continue testing and making iterative improvements based on customer feedback and data-driven insights.

Project - Trade Agreements Secretariat electronic filing (e-filing) system

What's New - Administering trade agreement disputes using the upgraded E-filing System provides dispute participants, government officials, and members of the public with timely access to appropriate dispute documents.

The Trade Agreements Secretariat (TAS) E-filing System is a secure online system for administering disputes under Chapters 10 and 31 of the United States-Mexico-Canada Agreement (USMCA). Re-launched in October 2023, the E-filing System features:

 Document Filing, Docketing, and Storage: Interested parties can file dispute documents electronically through the online system. The TAS E-filing System also logically organizes filings for easy access and serves as a central repository for all documents related to a dispute.
- Account Creation: All users participating in and providing materials for proceedings can create secure accounts and file documents electronically. In addition, members of the public can create accounts to view and download public documents associated with USMCA disputes.
- Online Public Reading Room: All users within the TAS E-filing System, including the public, can view public versions of dispute filings, timelines, and service lists.

Project - Raising awareness of the SelectUSA program and its available services

What's New - Expanding online access to the SelectUSA program and Federal government resources to attract and retain business investment in the United States ITA has prioritized efforts to attract and retain business investment in the United States through ITA's SelectUSA program. SelectUSA is the first federal government-wide effort to promote and facilitate business investment in the United States as an engine for job growth and economic development. SelectUSA facilitates business investment into the United States by serving U.S. state/regional/local Economic Development Organizations (EDOs) and international companies currently located in the United States or planning to enter the U.S. market.

SelectUSA helps companies of all sizes find the information they need to make decisions, connect to the right people at the local level, and navigate the federal regulatory system. SelectUSA also assists U.S. EDOs to compete globally for investment by providing information, a platform for international marketing, and high-level advocacy. The SelectUSA program coordinates investment-related resources across U.S. federal agencies and is the single point of contact at the national level to help international and domestic firms grow and invest in the United States.

The <u>SelectUSA website</u> provides industry-specific content, features economic market intelligence outlining key reasons why the United States is the premier international investment destination, describes the federal government resources available to businesses looking to invest, and highlights upcoming events hosted by SelectUSA and its partners to promote and facilitate investment in the United States.

A major component of the website includes the publication of new data tools that greatly expand public access to research databases and other resources. These tools enable potential investors, economic development organizations, and the public to quickly identify opportunities for investment within the United States. The online tools featured on the SelectUSA States website include:

 <u>SelectUSA Stats</u>: Created and managed by SelectUSA, the FDI interactive data visualization tool allows companies and EDOs to quickly access and analyze the latest available industry, country, and state level FDI data with only a few mouse clicks. Workforce data such as occupations and wages by state or MSA are also available to inform investors' planning.

- <u>U.S. Cluster Mapping Tool</u>: Led by Harvard Business School in partnership with the U.S. Economic Development Administration, this tool maps more than 50 million data points and provides easy-to-access data on industry clusters and innovation hubs. Users can better understand regional economies and local competitive strengths.
- <u>Assess Costs Everywhere (ACE) Tool</u>: Created by the Department of Commerce's Economics and Statistics Administration, this tool provides an analytic framework for understanding the full range of costs associated with manufacturing in the United States versus other locations. Users will find links to resources and case studies.

These online data tools help transform Department of Commerce and third-party data into easy to use, transparent tools to assist SelectUSA clients.

Project - Market Intelligence Program

What's new - Creating a constant stream of actionable market intelligence fed to U.S. exporters via trade.gov.

ITA leads the development and sharing of actionable market intelligence with U.S. exporter clients via an automated web-based system accessed via trade.gov. Drawing on ITA's global network of experts, the Market Intelligence Program provides a constant stream of short articles enabling U.S. firms to access the most recent information on international market developments, opportunities, and issues. This program provides a year-round complement to the annually produced Country Commercial Guides.

Project-Supporting ITA Data through Cloud Services

ITA's Data Services platform (MDS) has been established in the cloud using Microsoft's Power BI and Azure services. MDS has been configured to be scalable, allowing the platform to increase or decrease in size as needed. ITA has begun using MDS to store and manage data from across ITA. Data visualizations created using this platform are no longer static charts and graphs, but rather are dynamic visualizations that allow users to select components to view the data in different ways. Many datasets are available on trade.gov. The MDS platform empowers ITA's staff by providing the tools they need to analyze and visualize data themselves. ITA staff can use Power BI to connect to shared data sources; pull data from multiple sources simultaneously; clean, model, wrangle, and analyze the data; share their data with their customers; and make policy recommendations and decisions based on the data analysis. MDS not only enhances the data visualizations previously available on the website, but it also provides ITA with the ability to add additional visualizations providing U.S. companies with greater insight into the trends in international trade so that they can better choose their next market.

ITA is working to implement an enterprise-wide data governance platform that will provide ITA with the ability to scan and auto identify data assets, apply classifications and sensitivity labels to data assets, relate data assets to applicable System of Records Notices (SORNs),

describe data assets to make them more easily shareable, and provide ITA with a data catalog of shareable datasets to further enhance ITA's ability to make decisions based on data.



Minority Business Development Agency (MBDA)

MBDA is the only federal agency fully dedicated to the support of the growth and global competitiveness of minority business enterprises (MBEs). MBDA was created in 1969 under Executive Order (E.O.) 11458 as the Office of Minority Business Enterprises. Subsequently, MBDA's authority was expanded in 1971 under E.O. 11625, giving MBDA new authorities to support MBEs.

On November 15, 2021, the President signed the Minority Business Development Act of 2021 (Act) 15 U.S.C. 9501-9598 under the Infrastructure Investment and Jobs Act, P.L. 117-58. The Act codifies MBDA within the Department of Commerce and appoints an Under Secretary to lead MBDA. The Act gives MBDA the authorities and tools to support and grow minority business enterprises (MBEs). It also calls upon MBDA to establish regional offices, reach rural communities, establish an advisory council, serve as federal coordination hub of all MBE-related federal programs, and conduct research and information pertaining to MBEs, including the establishment of an information clearinghouse.

The MBDA actively coordinates and leverages publicly available data sources in support of its mission. MBDA's vision is economic prosperity for all American business enterprises. MBDA provides funding for a network of MBDA Business Centers, MBDA Specialty Centers, as well as MBDA Capital Readiness Program (CRP) and other technical assistance projects located throughout the Nation. MBDA program equities provide technical assistance, business development and capital access services to MBEs. MBDA Business and Specialty Centers, as well as MBDA CRP are staffed by non-federal business consultants and professionals who have the knowledge and experience needed to support MBEs in their respective growth journey and capacity building. The MBDA program equities are in urban and rural areas across the U.S. and Puerto Rico. The MBDA program equities are encouraged by MBDA to collaborate with one another and local partners. As such, business referral services are provided to MBEs based on their specific need.

Open Data

MBDA requires its Centers and CRPs to conduct formal client engagements. As such, they conduct client intake and implement client forms to: (a) acknowledge their respective service client relationship, (b) obtain firm contact and profile information, (c) capture client

demographic information, (d) disclose outcomes based on services provided, and (e) provide documentary verification of transactions resulting from the services provided. The client engagement form also includes privacy disclosure and information use language whereby MBDA may use data for the purpose of conducting research, studies, and analysis consistent with the MBDA mission. In addition, MBDA enables the sharing and use of client data with other federal agencies for research purposes.

Privacy

The client engagement form notifies the client that the information shared is considered "business confidential" and will not be shared with any other person or organization outside the U.S. Federal Government, unless MBDA obtains permission from the client. Further, all "business confidential" information is protected from disclosure to the extent permitted by law. MBDA maintains a privacy policy that informs all individuals with a vested interest of their rights under the Privacy Act of 1974, which includes the fact that all business or personal information provided to MBDA is on a voluntary basis, and that any information provided will be protected to the extent permitted by the Privacy Act of 1974 and the Freedom of Information Act of 1966. Whenever MBDA collects information, our goal is to make every effort possible to provide a detailed explanation of how that information will be used, in addition to giving individuals the option to consent to providing the information. More information pertaining to MBDA's Privacy Policy can be located on the website at: Privacy Policy | Minority Business Development Agency (mbda.gov). If a breach should occur personally identifiable information (PII) incident reports, MBDA files the initial breach incident reports with MBDA's Chief Privacy Officer and the Department of Commerce's Enterprise Security Operations Center Federal Watch Officer, and Office of Privacy and Open Government which maintain a report on all PII breach incidents.

Freedom of Information Act (FOIA) Requests

MBDA has the capacity to analyze, coordinate, and respond to FOIA requests. As reported in the Fiscal Year (FY) 2023 FOIA Annual Report, the average number of days to respond to a simple FOIA request was 148.5 days, down from FY2021 where the average number of days was 182.5 days. During the FY2023 timeframe, MBDA did not receive any complex requests; all were simple.

Proactive Disclosures

During 2023, MBDA began utilizing FOIAXpress software to track and manage all FOIA requests. FOIAXpress replaced FOIAonline, which the Agency began using in 2013. For the most part, a requestor will normally submit their request through the Public Access Link (PAL), then it will subsequently be uploaded to FOIAXpress. Requests can also be submitted through the MBDA's FOIA's inbox and subsequently uploaded to FOIAXpress. Approximately 60 percent of the requests are received through PAL and the other 40 percent are received via the inbox.

Participation

MBDA seeks public participation wherever possible. In fiscal year 2024, MBDA conducted two public participation actions that sought public feedback. MBDA supported the Office of

the Secretary, U.S. Department of Commerce to manage and process public comments originating from Federal Register Notice "Business Diversity Principles" publication November 29, 2023, and follow-on publication on December 22, 2023. The Department sought public input on the draft Business Diversity Principles (BDP), which describe best practices related to diversity, equity, inclusion, and accessibility (DEIA) in the private sector, and on the impact of DEIA initiatives. MBDA reviewed and published public comments received via www.regulations.gov (see DOC-20230-0003). The comments were used to inform MBDA leadership and benchmark the current DEIA sentiment by the respondents. On April 19, 2024, MBDA published Federal Register Notice "Minority Business Development Agency's Request for Public Comment and Notice of Tribal Consultation Meetings." The purpose for this public comment solicitation was to provide an accountable and transparent process that ensures meaningful and timely input from Tribal entities and the public regarding issues and challenges experienced by the American Indian, Alaska Native and Native Hawaiian businesses. Open comments were received through www.regulations.gov (DOC-2024-0003). The comments received will be used to inform future MBDA program design. In all cases, the information was communicated broadly on the Agency website, social media platforms, and e-Newsletters.

Project - Business Development Tools Modernization Project:

What's new - Enhancement and redesign of MBDA's business development applications: MBDA uses a cloud-based system to support its program performance management system. Operating as a Software-as-a-Service, the system assists MBDA's program areas with customer relations management and program performance reporting. The system supports individual MBDA Centers and CRP service record management, including service accounts, service outcomes, and impact tracking. The system allows for client referral, client sharing, and performance sharing among Centers. The system provides Centers and CRP with the ability to track overall performance, as well as MBDA to track performance by program type. The system also serves as an efficient, and flexible cloud-based solution for monitoring and developing customer relationships. The system security is monitored continuously and undergoes annual review of security controls and testing by a third-party entity. The Office of the Secretary Office of Chief Information Officer (OCIO) tracks MBDA's audit and login logs monthly. OCIO hosts these logs for auditing purposes. OCIO also ensures that MBDA is compliant by conducting reoccurring security reviews. These reviews are housed and maintained by OCIO.

MBDA continues to identify advanced technology that can be used to enhance customer assistance, engagement, referral, and experience. MBDA developed a prototype Chatbot that underwent user testing but was not deployed due to advancements in artificial intelligence (AI) technology and the need for further federal guidance on AI. Following these efforts related to traditional online Chatbots, MBDA is exploring the use of Retrieval-Augmented Generation (RAG) Large Language Model (LLM) technology to provide a robust conversational interface between users and MBDA. This service can potentially provide information in multiple languages, sourced solely from vetted public data and information from MBDA. Before this service is made available, MBDA will work to verify that this technology

can provide accurate, accessible, and reliable information to the public and that no personally identifiable information or business identifiable information is captured or stored.

Project-Information Clearinghouse

As further detailed in this plan and as its flagship initiative for 2024, MBDA will create an Information Clearinghouse (IC). The IC is designed to be a public online repository of data and research that will inform understanding of MBEs and the factors influencing their growth. The IC will give members of the public open access to research, reports, and analysis from MBDA and other trusted sources, by creating a digital document library and data. It will provide open access, as permissible by Federal laws and regulations, to research and data from a variety of authoritative data sources covering demographic, economic, financial, managerial, and technical issues. Public data from existing federal, state, municipal, and private sources will be collected for centralized access, and MBDA will provide access to non-business or personally identifiable data it generates as appropriate and as consistent with Federal law and regulation. The IC will be accessible to the public and provide digital visualizations and summary measures of repository data. MBDA anticipates that this will include geospatial data visualizations at national, state, and local levels, infographics highlighting trends and notable milestones, and digital fact sheets with overviews of measures across regions and demographics. MBDA plans to make documents and data sets available both through accessible websites and through open standard data protocols, published in federal library and data directories.

MBDA actively engages and seeks strategic alliances via Memorandums of Understanding with public and private sector entities to build and/or share data related to MBEs and their economic impact on the U.S. economy. MBDA collaborates with Department of Commerce bureaus including (but not limited to) the U.S. Census Bureau, Office of the Under Secretary for Economic Affairs, Bureau of Economic Analysis, International Trade Administration, Office of the Secretary-Performance Excellence Council, and more. These relationships have assisted MBDA to develop unique data tabulations related to MBEs. The agency also produces an annual performance report to reflect how it measures during a given Fiscal Year. The data for this public facing annual report is shared on the MBDA website and is captured through Salesforce, for the clients that are served by our national network of programs and initiatives. MBDA publishes data on the MBDA website at <u>www.mbda.gov</u>. Additionally, MBDA seeks to establish relationships with other public and private entities for the purpose of sharing publicly accessible data related to MBEs. The data is used to support studies and research that may be published on <u>www.mbda.gov</u>.

To comply with the President's Management Agenda, Executive Order 14058 (Customer Experience - CX) Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government, and the Office of Management & Budget (OMB) A-11, Section 280 policy related to Managing Customer Experience and Improving Service Delivery, MBDA now has a designated Office of Customer Experience. The agency has offered formal CX training to its national network of one hundred thirty-one (131) Business Centers, programs and initiatives. It will use feedback from the voice of the customer, CX surveys, to continue to refine its service delivery to internal and external customers, clients, and stakeholders. The

agency will continue to mature with its digital experience (DX) by expanding and improving online services to make it easy for citizens, customers, clients, internal and external stakeholders to access programs and services and through DX survey feedback. In addition, MBDA has launched it Minority Business Enterprise Advisory Council (MBEAC) that consists of nineteen (19) members, including ten Federal agencies and nine private sector members. The objective of this Council is to advise the Under Secretary of Commerce for Minority Business Development by:

- Identifying barriers to entrepreneurship and business growth, including access to traditional and alternative capital, public and private sector procurement, and global markets, and ways to overcome those barriers;
- Providing insight into relevant data, research, and policy alternatives about entrepreneurship and the economic conditions of socially and economically disadvantaged businesses;
- Proposing opportunities for collaboration on and coordination of policies relating to entrepreneurship and business growth for socially and economically disadvantaged businesses, particularly between the MBDA and other Federal agencies and institutions, as appropriate;
- Serving as a source of knowledge and information on developments in areas of the economic and social life of the United States that affect socially and economically disadvantaged businesses;
- Providing information regarding plans, programs, and activities in the public and private sectors that relate to socially or economically disadvantaged businesses; and advising on any measures to better achieve the objectives of the Agency; and advising on policy, and/or policy alternatives, and problems or matters the Under Secretary refers to the Council.



National Institute of Standards and Technology (NIST)

NIST, founded in 1901, is the National Metrology Institute for the United States, with a mission to promote U.S. innovation and industrial competitiveness by advancing measurement science, standards, and technology in ways that enhance economic security and improve our quality of life.

Open Data¹

Public Law 115-435, Foundations for Evidence-Based Policymaking Act of 2018 (The Evidence Act), requires that federal agencies make strategic data assets accessible to the public in machine-readable formats and discoverable through a single, government-wide catalog. The Office of Science and Technology Policy (OSTP) had previously identified research data as a high-value federal asset, and NIST's efforts to make data public began with research data, as discussed below. NIST generates and collects other mission-related data assets and makes them available for discovery through https://Data.gov. NIST, known as the National Bureau of Standards (NBS) until 1988, has worked with The Internet Archive under an arrangement with the Library of Congress to digitize nearly 25,000 technical reports the agency has published since it was established in 1901. As the publications are digitized, they are made accessible to the public through appropriate sources:

- <u>GPO govinfo</u>
- WorldCat
- <u>The Internet Archive</u>

Photographs and other materials portraying NBS/NIST history are made available to the public through the <u>NIST Digital Archives</u>. Information about and images of the scientific instruments and other artifacts in the NIST Museum collections are also accessible to the public through this site.

Privacy

NIST follows departmental guidance from the Office of Privacy and Open Government. NIST's privacy program is described at <u>https://www.nist.gov/privacy</u>, and Privacy Impact Assessments are available at <u>http://www.osec.doc.gov/opog/privacy/NIST-pias.html</u>.

Whistleblower Protection

NIST follows departmental guidance from the Office of Inspector General.

Websites

NIST uses Drupal, an Open Source content management system (CMS), in which content is "tagged" by topic, enabling the public to subscribe to receive new information posted on the website on specific topics of interest such as nanotechnology or energy-related research. Currently, there are more than 395,000 subscribers who receive information on approximately 115 different topics. The NIST website also includes several blogs that allow members of the public to comment or ask questions about posted articles, and the CMS includes icons to easily share content from the NIST site with social media websites. A mechanism has been added to allow users to report accessibility concerns. NIST also has a number of social media sites including YouTube, Facebook, Twitter, LinkedIn, Instagram, Reddit, and Giphy. To

¹ Certain commercial products are identified here, but such identification is not intended to imply recommendation or endorsement by the National Institute of Standards and Technology, nor is it intended to imply that the products are necessarily the best available for the purpose.

ensure that as many people as possible benefit from NIST's work, news of major research results posted on the NIST website is routinely announced through these additional social media sites.

Transparency

NIST strives to be consistently open and transparent in its interactions with the public and news media. Information from and about NIST is available on <u>analytics.usa.gov</u>, <u>challenge.gov</u>, <u>Data.gov</u>, <u>grants.gov</u>, <u>ITdashboard.gov</u>, <u>labs.Data.gov/dashboard</u>, <u>usa.gov</u>, <u>USAspending.gov</u> as well as on the <u>NIST website</u> and social media, and in news releases, publications, and reports. In some cases, NIST information is embedded in Department of Commerce information.

NIST follows the <u>Department of Commerce Public Communications Policy</u>, which includes explicit approval for research staff to talk with the news media and the public directly, without prior permission from the Public Affairs Office, about the results of their peer-reviewed research.

NIST's Public Affairs Office regularly offers communications training to NIST research staff, including describing this portion of the policy, to ensure that they are committed to broadly disseminating NIST results to a wide variety of audiences. Plain language training is available online and through mentoring and in-person training of NIST employees.

NIST provides a dedicated referral service for phone and public email inquiries during business hours to ensure that any member of the public may request assistance in locating specialized technical reports or experts or in resolving customer service concerns they may have. The NIST website "Contact Us" page includes several different ways for the public to obtain help with many different types of inquiries. The Public Affairs Office strives to answer general NIST inquiries within 48 hours.

Public Notice

NIST follows departmental guidance from the Office of Public Affairs.

Records Management

NIST manages its records in accordance with the National Archives and Records Administration (NARA) and Department of Commerce regulations, ensuring that records are economically and effectively created to meet business needs, kept long enough to protect rights and assure accountability, and preserved and available for future generations. Records are retained in accordance with NARA-approved records schedules. NIST's records management directives are clear and concise, conveying records management requirements and responsibilities to all NIST staff.

Freedom of Information Act (FOIA) Requests

NIST responds to Freedom of Information Act requests in accordance with Department of Commerce regulations and Department of Justice guidance. NIST emphasizes the importance of transparency of its operations and regularly performs discretionary releases of documents and information that could qualify for exemption from release, but for which there is no foreseeable harm. The NIST FOIA Office works collaboratively with NIST Operating Units to obtain information in response to requests in a timely manner and to encourage proactive disclosures of information.

Proactive Disclosure

To the extent feasible and consistent with Federal laws and regulations, agency mission, resource constraints, U.S. national, homeland, and economic security, NIST promotes the availability of results of federally funded research in publicly accessible repositories. NIST has begun an initiative to make NIST directives of significant public interest available on our website.

Congressional Requests

NIST follows Department of Commerce guidance from the Office of Legislative and Intergovernmental Affairs.

Declassification

NIST follows Department of Commerce guidance from the Office of the Secretary.

Participation

NIST has a rich history of connecting our technological advances to the American economy through interactions with stakeholders and the public, some of which are described in an <u>annual report on technology transfer</u>. <u>Technology transfer</u> plays an important role in the Department of Commerce's mission to promote job creation, economic growth, sustainable development, and improved standards of living for all Americans. NIST works in partnership with academia, businesses, state and local governments, other federal agencies, and communities to promote innovation and improve the nation's overall competitiveness in the global economy. NIST typically hosts as many as 100 conferences, workshops, symposia, and other meetings annually. Many are co-sponsored with other federal agencies, academic institutions, professional societies, or industry groups.

To increase citizen involvement in the development of standards to address new technological challenges, NIST reaches out to stakeholder communities to convene workshops at locations around the country, organize diverse stakeholder groups, and work to develop consensus. This strategy has been used for developing frameworks and guides for <u>artificial intelligence</u>, <u>privacy</u>, the <u>smart grid sector</u>, <u>critical infrastructure cybersecurity</u>, <u>disaster resilience</u>, <u>forensic standards</u>, and <u>protecting sensitive information</u>. NIST frequently convenes stakeholders to identify challenges in sectors from advanced communications and materials discovery to the circular economy and biopharmaceutical development. Visit the <u>NIST website</u> to learn more about these topics.

Collaboration

To meet its mission in the face of rapidly evolving priority areas and a widening stakeholder base, NIST is increasingly partnering with academic, industrial, and governmental institutions. National priorities require the united efforts of diverse participants, and NIST has the unique convening power and technical independence to bring those participants together. Each year, NIST hosts about 2,700 associates and facility users who collaborate with its scientists. NIST works with over 1,300 manufacturing specialists around the country to help small and medium-sized manufacturers improve and grow. NIST has two user facilities available for proprietary and non-proprietary research. In addition, NIST jointly operates research organizations explicitly established to promote the kind of cross-disciplinary collaborations that accelerate research results. And through a Partnership Intermediary Agreement, <u>NIST and the Maryland Technology Development Corporation (TEDCO)</u> work with researchers to turn promising NIST technologies and know-how into high-tech businesses. NIST also collaborates in partnership facilities with academic institutions and other federal agencies.

- <u>Brookhaven National Laboratory</u> is a multipurpose research institution located on Long Island, New York. In partnership with Brookhaven, NIST develops and disseminates synchrotron measurement science and technology needed by U.S. industry to measure nanoscale electronic, chemical, and spatial structure of advanced materials.
- The <u>Hollings Marine Laboratory (HML)</u> is a joint research facility among NOAA's National Ocean Service, the South Carolina Department of Natural Resources, the College of Charleston, the Medical University of South Carolina, and NIST, with a mission to provide science and biotechnology applications to sustain, protect, and restore coastal ecosystems, with emphasis on links between environmental conditions and the health of marine organisms and humans.
- The <u>Institute for Bioscience and Biotechnology Research</u> (IBBR) exists to foster integrated, cross-disciplinary team approaches to scientific discovery, translational development, and education, and to create commercialization relationships and initiatives that serve the expanding economic base of biosciences and technology in the state of Maryland and across the country.
- Joint Center for Quantum Information and Computer Science (QuICS) is a partnership between the University of Maryland and NIST to advance research and education in quantum computer science and quantum information theory.
- <u>JILA</u> is a joint physics institute of the University of Colorado at Boulder and NIST. (The institute was previously known as the Joint Institute for Laboratory Astrophysics, but its current research now spans a wide range of physics topic areas).
- Joint Quantum Institute (JQI) is a joint institute of the University of Maryland, NIST, and the Laboratory for Physical Sciences in College Park, MD.
- <u>National Advanced Spectrum and Communications Test Network</u> (NASTCN) is a partnership among NIST, the National Telecommunications and Information Administration (NTIA), NOAA, NSF, NASA, and the Department of Defense, and is organizing a national network of federal, academic, and commercial test facilities that

will provide the testing, modeling, and analyses needed to develop and deploy spectrum-sharing facilities.

- Advanced Manufacturing National Program Office. NIST provides leadership and coordination across federal agencies with programs in advanced manufacturing including the Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, and Labor, NASA, and NSF by leading the interagency Advanced Manufacturing National Program Office (AMNPO). The AMNPO oversees the planning, management, and coordination of Manufacturing USA[®], which brings together public and private investments to improve the competitiveness and productivity of U.S. manufacturing through a robust network of manufacturing innovation institutes. Each of the 14 Manufacturing USA institutes is a public-private partnership focusing on a specific, promising area of advanced manufacturing technology.
- The AMNPO provides information to the public about Manufacturing USA through a variety of means especially through the website, <u>www.ManufacturingUSA.com.</u> The website includes <u>news about the institutes</u>, media exposure, announcements of <u>upcoming events</u>, information about <u>program funding opportunities</u>, videos, an archive of <u>reports and policy papers</u>, and guidance about how to engage with the institutes. The AMNPO also releases an <u>annual report on the program's performance</u> and a <u>triennial strategic plan</u>. The AMNPO maintains Twitter and LinkedIn accounts to communicate advanced manufacturing news and successes about Manufacturing USA to the public. Additionally, the AMNPO maintains the <u>Manufacturing.gov</u> website, which contains links to information about U.S. government programs that support advanced manufacturing.
- NIST Technology Transfer. NIST regularly works with multiple other organizations through Cooperative Research and Development Agreements. These agreements allow NIST to work directly with other parties through a public-private partnership to achieve specific scientific outcomes. In addition, NIST patents and licenses new technologies developed in our laboratories. NIST regularly organizes technology showcase events to bring together innovative technologies, licensable inventions, research and engineering facilities, small business support resources at the federal and state levels, and sources of funding, all under one roof. NIST also hosts "listening sessions" to hear from local communities about how federal labs can contribute to economic development. Information on NIST technologies available for licensing is on Data.gov in a machine-readable format for other parties to use.
- NIST regularly conducts economic assessments on the results of our research programs. NIST economic reports and assessments are available <u>on the NIST</u> <u>website</u>. <u>Technology Transfer partnership activities across Commerce</u> are described in an annual report. A selection of NIST activities with impacts on industry is <u>also</u> <u>available</u>.

- <u>Small Business Innovation Research</u> (SBIR) is a highly competitive federal grant program that opens opportunities and encourages U.S. owned and controlled smalland mid-sized businesses to engage in Research and Development (R&D) with commercialization potential.
- The <u>Manufacturing Extension Partnership (MEP)</u> Program is a unique, public-private partnership that delivers comprehensive, proven solutions to U.S. manufacturers, fueling growth and advancing U.S. manufacturing. The MEP Centers in all 50 states and Puerto Rico, which are part of the MEP National Network[™], work with U.S. manufacturers to develop new products and adopt new technologies. MEP National Network services can evolve with the maturity of technology as well as help strengthen the business side of a company and can play a pivotal role in helping manufacturers move from concept to market through services in areas such as product design, manufacturing engineering, product concept testing, quality control/management, supplier scouting, and certification.

Open Innovation Methods

NIST uses prize competitions and challenges to stimulate engagement to solve ambitious problems in support of the NIST mission. Many long-standing NIST programs have created challenges by leveraging NIST authorities (e.g., the NIST Organic Act and Federal Information Security Management Act) to bring people together to advance research by providing an evaluation infrastructure; others have a winner who receives public recognition. NIST's <u>Text Retrieval Conference (TREC)</u> is one such ongoing challenge.

NIST prize competitions, involving the award of cash prizes to winners under Prize Competition Authority (15 U.S.C. 3719, as amended), are managed through NIST's Program Coordination Office. Prize competitions are announced on challenge.gov and program websites. Prize competitions recently completed or in progress include:

- <u>2024 First Responder UAS Wireless Data Gatherer Challenge</u>
- <u>2023 First Responder UAS 3D Mapping Challenge</u>
- 2022 CommanDING Tech Challenge
- First Responder Smart Tracking Challenge
- First Responder UAS Triple Challenge 3.1: FastFind UAS Search Optimized
- First Responder UAS Triple Challenge 3.2: Lifelink UAS Data Relay
- First Responder UAS Triple Challenge 3.3: Shields Up! Securing UAS Navigation and Control
- <u>The Mobile Fingerprinting Innovation Technology (mFIT) Challenge</u>
- PerfLoc Prize Competition
- Mask Innovation Challenge: Phase 2
- <u>UK-US Privacy Enhancing Technology Challenges</u>

Access to Scientific Data and Publications

NIST developed a Public Access Plan in response to a February 22, 2013, memorandum from the Executive Office of the President on increasing access to the results of federally funded scientific research. The Plan was approved by the Office of Science and Technology

Policy (OSTP) and the Office of Management and Budget (OMB) in December 2014. NIST staff are required to provide public access to the results of federally funded research under a set of NIST directives that went into effect in 2015. Language requiring provision of public access to scientific research results is included in agreements for research supported by NIST through grants, contracts, cooperative agreements, or other awards, including research conducted at joint institutes and federally funded research and development centers, as they come up for renewal. The plan and public comments are available as <u>NISTIR 8084</u>. NIST's Public Access Policy, which was derived from the plan, is available at <u>https://www.nist.gov/open</u>. NIST continues to operate under this policy, although OSTP released a <u>new public access memo</u> in 2022. In response, <u>NIST's public access plan was updated</u>, and changes to the policy are in progress.

NIST has partnered with the National Institutes of Health (NIH) to use the <u>PubMed Central</u> (<u>PMC</u>) repository system to provide public access to full-text peer-reviewed scholarly publications authored by NIST staff, leveraging the well-established search, archival, and dissemination features of PMC. Publications are available within 12 months of publication. NIST Technical Series publications are available through the Government Publishing Office's (GPO's) <u>govinfo</u>. NIST also has a participation agreement with CHORUS, facilitating access to published papers. NIST provides public access to scientific data through a data portal on NIST's website, <u>https://data.nist.gov</u>, as well as through <u>https://Data.gov</u>. Restricted access is provided to some data.

Institutional membership in CrossRef, DataCite, and ORCiD allows NIST to use/access DOIs for authors, NIST Technical Series publications, and datasets, taking advantage of the evolving ecosystem of persistent identifiers that can link funders, authors, and research products (papers, data, and code).

Spending Information

<u>NIST spending information is available on its website</u> and is embedded in Department of Commerce information on <u>USAspending.gov</u>.

Open Source Software

Public source code is discoverable through the <u>NIST data portal</u> and Data.gov as well as through <u>https://code.nist.gov</u>. Most programming code written at NIST is developed as part of our research programs and is developed to address specific and unique mission-related research problems. We openly share this software through <u>public Github repositories</u> for potential re-use by our stakeholders, including other researchers, and so that our research processes are fully open and transparent.

Project - Make Directives of Public Interest Available on NIST's Website

NIST continues to make progress on this project. Our internal Directives Management System is close to completing the migration of the Administrative Manual Subchapters with only nine remaining. Once complete, the implementation plan to deploy the directives will begin. Currently the NIST website contains <u>seven directives</u>.

Project-Develop a Research Data Management Framework (RDaF)

NIST worked with stakeholders to develop a structured approach to data management, modeled on the process used to develop NIST's Cybersecurity Framework, to enable organizations to optimize use of their data assets. After a thorough review of current guidance, we developed a common language and a basis for coordination across that landscape, developing a framework that describes who needs to do what, why, and when to make their data useful and maximize its value.



National Oceanic and Atmospheric Administration (NOAA)

From the depths of the ocean to the surface of the sun, NOAA is observing, measuring, monitoring, and collecting data – and translating those publicly available data into earth-system models, information, tools, and forecasts for public use. NOAA's trusted data are the basis for your daily weather forecast that you can access on your phone with a press of a button; feed into our models that predict the movement of wildfire smoke in real-time; and identify impacts of climate change on fisheries and living marine resources to improve management. NOAA's data, tools, and services support the national economy and touch all aspects of American life.

Since its inception in 1807, NOAA has evolved to meet the needs of a changing country from building a Climate Ready nation to fostering an Information-Based New Blue Economy. NOAA is working to address our Nation's most pressing challenges, from combatting the climate crisis and bolstering the equitable development and delivery of climate science and services; reinforcing scientific integrity and rebuilding our scientific workforce; ensuring our agency is diverse, equitable, inclusive, and accessible; to promoting economic development while maintaining environmental stewardship – the NOAA workforce has been firing on all cylinders to meet the increasing demands of our mission. That mission is science, service, and stewardship – to understand and predict changes in climate, weather, oceans, and coasts; to share that knowledge and information with others; and to conserve and manage coastal and marine ecosystems and resources.

<u>NOAA provides a diverse range of science and services</u>, ranging from daily weather forecasts and severe storm warnings to climate monitoring, fisheries management, coastal restoration, and support for marine commerce. All of these products and services promote economic vitality and affect more than one-third of America's gross domestic product.

Open Data

In its December 2022 Report on Open Data/Open Science (Report), the NOAA Science Advisory Board (SAB, or the Board) challenged NOAA to implement Findable, Accessible, Interoperable, and Reusable (FAIR) data principles, promote the use of open source software, engage with the open source community, and apply open science principles that are consistent across NOAA. These approaches are increasingly being mandated by Federal law and expected by NOAA user communities. Adherence to open data principles maximizes return on the data collection and stewardship investments made by the American public. Open science enhances NOAA's commitment to high quality science and transparency. In its response, NOAA highlighted areas of success and committed to strengthening the current practices required of open data and the culture of open science across the agency. NOAA is proud of its achievements in making its data open. The NOAA Data Strategy, along with the NOAA Data Strategic Action Plan, are public commitments to make NOAA data open to the fullest extent possible. These build on decades of commitment to full and open data sharing, including NOAA's engagement with the World Meteorological Organization and the World Data System and role as a founder of the Group on Earth Observations. The NOAA Cloud Strategy and NOAA Cloud Action Plan are public commitments to providing the infrastructure to store, access, and interact with NOAA data in an open manner. The Board challenged NOAA to build out some of the underpinnings of FAIR data, including persistent identifiers (PIDs), metadata, open-access application programming interfaces (APIs), and open licensing. NOAA is pleased that the Board has recognized NOAA's progress and will see NOAA's continued commitment to NOAA Open Data programs in the coming years. See the NOAA response to the SAB's report for details.

The NOAA Open Data Dissemination (NODD) Program provides public access to NOAA's open data on commercial cloud platforms through public-private partnerships. These partnerships remove obstacles to the public use of NOAA data, help avoid costs and risks associated with federal data access services, and leverage operational public-private partnerships with the cloud computing and information services industries. NODD combines three incredibly powerful resources: NOAA's expansive collection of high-quality environmental data and expertise, the vast infrastructure and scalable computing capabilities of our industry partners, and the innovative energy of the American economy. NODD currently works with three infrastructure-as-a-service (IaaS) providers to broaden access to NOAA's data resources. These partnerships are designed to not only facilitate full and open data access at no net cost to the taxpayer, but also foster innovation by bringing together the tools necessary to make NOAA's data more readily accessible.

Privacy

NOAA proposed a System of Records Notice (SORN) to cover the Sexual Assault/Sexual Harassment (SASH) program records collection. This SORN satisfies the underlying public notice requirement of the Privacy Act of 1974, enabling the Bureau to collect records regarding individuals to effectively respond to and investigate allegations of sexual misconduct. The SORN will be published in the Federal Register, and gives essential public transparency in the Bureau's collection, records access procedures, amendment process, system location, and routine uses of the personally identifiable information within this system

in accordance with <u>5 U.S.C. 552a(e)(4)</u>. This notice is essential in order support the SASH program efforts to prevent and respond to incidents of sexual assault and sexual harassment.

Whistleblower Protection

In NOAA's continual efforts to strengthen the efficiency of its Office of Inspector General (OIG) disclosure process, which includes whistleblower disclosures, NOAA leadership, led by the Deputy Under Secretary Office, has identified training as a vital element to these efforts. In FY24, NOAA leadership identified, funded, and expanded investigative and interviewing training opportunities to fifty-five (GS-14 and higher) NOAA employees. This training was intended to better facilitate the agency investigative/interviewing process by illustrating proper investigatory techniques and skills needed for potential investigators.

In addition to the expanded training opportunities, NOAA's intake process for all OIG disclosures is tasked out by the Office of the Chief Administrative Officer / Audit and Information Management Office (OCAO/AIMO). To streamline and modernize processes, OCAO/AIMO has been working to update and revise current procedures and has completed phase 1 of this process in FY24. OCAO/AIMO plans to complete revising all processes in FY25.

Websites

In June 2024, NOAA established the Digital Engagement and Transformation Program (DETP). This new program serves as the hub of an enhanced partnership between the Office of the Chief Information Officer, NOAA Communications, and the Office of the Deputy Under Secretary for Operations. Through coordination and collaboration with these offices and across NOAA functional areas, the DETP improves accessibility, accountability, and public engagement for internal and external digital communications products and services. This is achieved by promoting a positive external customer experience across NOAA's vast web presence, data assets, and other communication channels by prioritizing access to and understanding of NOAA's critical mission areas through a digital-first lens. The integrative products and services of the DETP engage the workforce by providing tools, resources, and opportunities to enhance practical knowledge and expertise across NOAA's offices and programs in the areas of Digital Access, Customer Experience, and Digital Transformation.

Digital Access is focused on educating NOAA's workforce to promote accountability and responsibility; delivering accessible products and services to all customers regardless of ability; and providing technology solutions for digital equity and literacy challenges to broaden NOAA's reach and provide a rich and inclusive digital ecosystem to meet all customer needs.

Customer Experience is focused on identifying and deploying digital tools and services to foster internal and external communication; establishing and promoting branding and design standards to unify NOAA's digital presence; evaluating content to reduce duplication, ensuring authoritative ownership, and increasing trust; and providing standard means and metrics to evaluate success of digital products and services across NOAA.

Digital Transformation is focused on fostering NOAA culture changes to transform our digital operations and support the NOAA workforce; providing a unified digital governance model

and content management strategies to promote accountability, integrity, and trust; and supporting NOAA's strategic objectives to build a Climate Ready Nation, build equity into core operations, and promote an information-based Blue Economy.

Across the DETP's three focus areas, the program is building out a structure to support cross-NOAA public content and corporate communications coordination; developing connectivity and strength within existing groups to share knowledge and build capacity across the workforce; and sustaining NOAA's commitment to digital equity by providing tools and resources to better deliver products and services within NOAA, to our partners, and to the public.

Transparency

NOAA supports several government-wide transparency initiatives, such as Data.gov, eRulemaking, and IT Dashboard:

- NOAA has 107,000+ datasets on Data.gov, comprising 35% of Data.gov's datasets.
- eRulemaking includes <u>Establishment of Temporary Special Use Area for Coral</u> <u>Nursery: Florida Keys National Marine Sanctuary</u> and <u>Request for Information on</u> <u>Equitable Delivery of Climate Services</u>_88 FR 46773.
- IT Dashboard includes several NOAA major IT investments: <u>NOAA R&D High</u> <u>Performance Computing System</u> (HPCS) and NWS <u>Dissemination</u>, as well as OCS <u>Civilian Traffic Coordination System for Space</u> (TraCSS), NESDIS <u>Comprehensive</u> <u>Large Array-data Stewardship System</u> (CLASS), NWS <u>Central Processing</u>.

Public Notice

The importance of public notices is codified in a NOAA administrative order: <u>NAO 205-11</u>: <u>Code of Federal Regulations and Federal Register</u>. NOAA is active on the Federal Register where it has posted almost 650 public notices (Notices, Rules, and Proposed Rules) as of end-June 2024 (almost 1,300 in 2023). Most of these notices are from NOAA Fisheries. As such, Fisheries also maintains a comprehensive and robust public-facing webpage for its Fisheries notices, providing the public with a more intuitive one-stop resource: <u>NOAA</u> <u>Fisheries Rules and Regulations</u>. There the public can find a range of information on fisheries matters, grouped into seven categories - Notices & Rules; Open for Comment; FMP Amendments; Regulations, Acts, Treaties; Maps, Regulatory Areas; Management Information; Small Entity Compliance Guides - for each of the five Fisheries <u>Regions</u>, as well as Atlantic Highly Migratory Species, Caribbean, and Gulf of Mexico. Additionally, this same webpage also provides notices related to Protected Resources (e.g., Endangered Species Act and Marine Mammal Protection Act).

NOAA also leverages the Federal Register to inform the public about meetings that are open to the public. Examples include: <u>Mid-Atlantic Fishery Management Council meeting</u> on July 11, 2024; <u>Science Advisory Board meeting</u> on July 31 - August 1, 2024. Of note, the Federal Register played a pivotal role in the development of NOAA's first ever <u>Equitable Climate</u> <u>Services Action Plan</u>, which was published May 1, 2024. Plan development entailed a <u>RFI</u>

posting in the Federal Register to solicit public input; the RFI also included 13 public listening sessions.

Records Management

NOAA has procured an electronic records management system and is in the process of implementing this solution to manage all records electronically. The records management solution will modernize NOAA's records management activities and meet the requirements of <u>OMB/NARA M-23-07</u>, <u>Transition to Electronic Records</u>, as well as <u>NARA Universal ERM</u> <u>Requirements</u>. This enterprise-wide solution application is designed to declare and manage records in all formats and related metadata throughout the records lifecycle, with the use of automated business rules and workflows.

In addition, the solution will significantly reduce records management responsibilities for endusers because records management functions will be performed and managed electronically by the solution administrators. The ultimate goal is to transform records management activities from a manual paper-based process to an efficient end-to-end electronic process. This solution will also significantly decrease the need for off-site storage. Full implementation of the record management solution across NOAA is planned from July 2024 through May 2028.

Freedom of Information Act (FOIA) Requests

Within the Department of Commerce, NOAA accounts for almost 30% of all incoming FOIA requests to, and processed by, the Department in FY2022 and FY2023, the highest percentage of all Bureaus. Despite this significant incoming request volume, through tiger team efforts, improved staffing, and multi-office surge support initiatives, NOAA was able to reduce its FOIA backlog by more than 32% this Fiscal Year, achieving the lowest FOIA backlog in more than 10 years.

As part of NOAA's continued commitment to FOIA and its support of its peers within the Department and collaboration with Indigenous Peoples, NOAA issued an Appendix to the NOAA Guidance and Best Practices for Engaging and Including Indigenous Knowledge in Decision Making. This Appendix directly outlined best practices for respecting knowledge sovereignty and affirming the importance of applying indigenous knowledge in decision making, while outlining FOIA compliance and records disclosure requirements involving indigenous knowledge.

Proactive Disclosures

NOAA has begun crafting Controlled Unclassified Information (CUI) training videos, answering the need for Bureau training on CUI categories following the issuance of <u>EO</u> <u>13556</u>. This will enable NOAA staff and line offices to be able to effectively identify, label, protect, and decontrol CUI. These CUI training videos have been requested by other Bureaus within the Department of Commerce, and NOAA is making the training publicly available to improve transparency and create a public CUI training resource.

Congressional Requests

NOAA's Office of Legislative and Intergovernmental Affairs (OLIA) plays a critical role in preparing NOAA witnesses for Congressional hearings and coordinating with Congressional Committees. Over the last two Congresses, NOAA has participated in a number of hearings across a broad array of topics that touch on NOAA's mission. OLIA maintains public webpages: Briefings, Hearings, and Testimony provides NOAA responses to Congressional hearings/requests and <u>OLIA Staff Directory</u> provides leadership and staffing contact information, including direct contact information for OLIA Leadership.

Declassification

NOAA does not have statutory authority to classify or declassify information.

Participation

The NOAA Equitable Climate Services Action Plan (published 5/1/2024) serves as a stellar example of NOAA's engagement with the public, through a Request for Information (RFI) via the Federal Register, to develop a plan that aims to expand the reach and accessibility of NOAA's climate services, enabling the agency to better respond to the climate adaptation and resilience needs of all communities, with an emphasis on historically underserved populations. Development of the plan involved holding <u>13 public listening sessions</u>. The RFI resulted in the sharing of 1,300 ideas which were then analyzed and informed development of the plan.

NOAA plans to update its Data Strategy by the end of 2024. Public engagement will be key, NOAA plans to post an RFI notice in the Federal Register to solicit public input.

Collaboration

NOAA recognizes the importance of and values collaboration with other partners in the agency's efforts to meet and advance the NOAA mission. NOAA is an active participant in many international, national, and regional organizations and agreements, utilizes innovative tools to partner with the private sector such as Cooperative Research and Development Agreements (CRADA), and houses the NOAA Technology Partnership Office (TPO) which builds collaborative relationships between NOAA researchers and regional, national, and global partners, and fosters entrepreneurship and small business growth. All NOAA collaboration efforts are based on a commitment to open and transparent sharing of information to reach a common end goal.



National Telecommunications and Information Administration (NTIA)

NTIA is the Executive Branch agency that is principally responsible for advising the President on telecommunications and information policy issues. NTIA's programs and policymaking focus largely on expanding broadband Internet access and adoption in America, expanding the use of spectrum by all users, and ensuring that the Internet remains an engine for continued innovation and economic growth.

NTIA has a range of activities to facilitate the public's access to information which can be found on the website under Data Central. Examples include:

- Transparency into BroadbandUSA, a program to enhance connectivity and promote inclusion, and Broadband availability via an interactive tool.
- Internet use data from the Census Current Population Survey via an interactive tool. Compendium of federal spectrum uses via detailed reports to support the nation's interest in and demand for expanded use of radio spectrum.

In addition, NTIA held two industry listening sessions where stakeholders were asked to identify incentives and policy options to ensure that the United States has adequate sources of secure, effective, and reliable 5G and future generation wireless communications systems and infrastructure.

NTIA's programs lay the groundwork for sustainable economic growth, improved education, public safety, health care, and the advancement of other national priorities.

Open Data

NTIA publishes datasets and APIs at Data.gov and on its websites. The <u>Data Central section</u> of NTIA's website, is home to data and analysis on computer and Internet use in the United States. Data on Federal frequency assignments from 225 MHz to 7125 MHz by agency, band, and radio service are posted at spectrum.gov and on <u>NTIA's website</u>. Scientific data is available through the <u>NTIA ITS website</u> and is hosted through that website and GitHub.

Privacy

The NTIA Office of the Chief Financial Officer (OCIO) prepares compliance reports such as those required under the Federal Information Security Management Act (FISMA). NTIA follows departmental guidance on privacy from the Office of Privacy and Open Government

(OPOG). The Office of Policy Coordination and Management (OPCM) requires IT security awareness training that covers Personally Identifiable Information (PII) for new employees during in-processing, as well as annual computer-based training. <u>A list of available Privacy</u> Impact Assessments is available on the NTIA website.

Whistleblower Protection

NTIA follows departmental guidance from the Office of Inspector General (OIG). NTIA Associate Administrators send reminders to employees that any instance of waste, fraud and/or abuse should be reported to their supervisor, the office head, other Department officials or the OIG, without fear of retaliation. NTIA employees also receive periodic No Fear Act training.

Websites

NTIA uses websites as an effective tool to disseminate information about its programs and activities. The bureau's main website is <u>www.ntia.gov</u>; information on a range of new broadband and digital equity grant programs focused on promoting broadband access and digital inclusion is posted at https://internetforall.gov/; information on the BroadbandUSA initiative, which provides guidance to help communities expand their broadband capacity and promote digital inclusion and equip state, local, and tribal leaders to make key decisions on how to use broadband to advance their overarching goals - ranging from economic development, job creation, improving educational outcomes, and increasing health care delivery and public safety is at <u>https://broadbandusa.ntia.gov</u>; telecommunications research, engineering services, and technical reports at NTIA's Institute for Telecommunication Sciences (ITS) are featured at its.ntia.gov; and the First Responder Network Authority (FirstNet), an independent authority within NTIA that is deploying a nationwide public safety wireless broadband network, provides extensive information at <u>www.firstnet.gov</u>.

Access to Scientific Data and Publications

NTIA's Institute for Telecommunication Sciences (ITS) performs cutting-edge telecommunications research and engineering with both federal government and private sector partners. As NTIA's research and engineering laboratory, ITS supports the bureau by performing the research and engineering that enables the U.S. Government, national and international standards organizations, and many aspects of private industry to manage the radio spectrum and ensure that innovative, new technologies are used effectively. ITS has maintained physical archives of its technical reports going back to the 1960s and has been actively engaged in making them available electronically for over a decade.

In 2023, NTIA submitted the "Draft Plan for Providing Public Access to the Results of Federally Funded Research" in compliance with the August 2022 OSTP memo on "Ensuring Free, Immediate, and Equitable Access to Federally Funded Research". The Plan is intended to enable NTIA's commitment to ensure that, to the greatest extent, and with the fewest constraints possible, and consistent with Federal law and the objectives set out below, the direct results of NTIA ITS's federally funded scientific research are made freely available to the public, in publicly accessible repositories. These results include all peer-reviewed scholarly publications, NTIA ITS-developed software, and scientific data (including data associated with

NTIA ITS peer-reviewed publications) arising from unclassified research and programs funded wholly or in part by the federal government.

Since the submission of the Plan, NTIA ITS has been actively implementing the mechanisms required of the Plan, which include a variety of new or revised policies, procedures, and technical capabilities. NTIA ITS has already implemented multiple components of the Plan:

- Procedures and templates defining Data Management Plans (DMPs), which will ensure that public access to scientific research at NTIA ITS is considered from the beginning of new projects
- Multiple revised or new procedures detailing methods of internal review and public release for publications, software and data
- Mechanisms for generating DCAT-US metadata for NTIA ITS scientific research
- Coordination with federally funded researchers to obtain ORCID digital persistent identifiers in accordance with the NSPM-33 Implementation Guidance

NTIA ITS is also currently working on several other components of the Plan that will enable access to its scientific data and publications, including:

- Refined mechanisms for ensuring published scientific data are catalogued on Data.gov
- Rolling out DMPs for existing and new projects, targeting October 2024
- NTIA ITS membership with a Data Object Identifier (DOI) registration agency, which will enable NTIA ITS to generate Digital Persistent Identifiers for research outputs and funding sources
- Exploration of a dedicated public access system for data

Transparency

NTIA publishes on its websites extensive information on its grant programs and processes, including its Notices of Funding Opportunities (NOFOs), application materials, and Technical Assistance materials related to its grant programs. NTIA is also working to publish its awarded grant applications, award notices, and semi-annual financial and performance progress reports on its website. The FirstNet Board of Directors webcasts its quarterly meetings, as well as committee meetings. Meetings of the Commerce Spectrum Management Advisory Committee are also webcast.

Public Notice

NTIA uses its public website's for sharing information and providing opportunities for participation and collaboration with the public, such as webinars, and technical assistance events. BroadbandUSA offers virtual learning events to share information about practical

broadband issues and new initiatives, as well as provide group technical assistance and connect stakeholders between events. In 2023, OICG held several public webinars for stakeholders. Topics included cloud service adoption, how libraries and schools are supporting digital equity initiatives, data collection tools that would support the Digital Equity Act, an introduction to the BEAD Challenge Process, digital skills and workforce development, multiple listening sessions on the Digital Equity Act, cybersecurity and supply chain risk management. NTIA held two public listening sessions to gain input and perspectives from stakeholders on the development and implementation of a National Spectrum Strategy. NTIA conducted public technical assistance events for the Public Wireless Supply Chain Innovation Fund's notice of funding opportunities. Federal Register notices of public meetings and requests for comment are posted on <u>www.ntia.gov</u> and <u>www.firstnet.gov</u>. Numerous listservs provide announcements of events and activities. NTIA provides links to its Twitter, Facebook, YouTube, and LinkedIn accounts, as well as RSS feeds, to publicize its publications and activities. All comments in public comment proceedings are also posted.

As a recent example, in FY 2023 NTIA issued a Request for Comment (RFC) on a wide range of policy and program considerations associated with its Digital Equity grant programs, authorized and funded by the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law. NTIA welcomed input from all interested parties, conducted extensive stakeholder outreach, and received more than 250 comments reflecting a diverse range of backgrounds and stakeholder groups. Likewise, through an RFC, NTIA sought broad input from interested stakeholders, including private industry (specifically including developers and end-users of spectrum-based technologies and services, and contractors for federal missions), academia, civil society, the public sector, and others on three proposed pillars of the National Spectrum Strategy, receiving over 130 papers that helped inform and focus the final strategy document.

Also, in FY 2022 NTIA hosted three listening sessions concerning Personal Data, Privacy, Equity, and Civil Rights. NTIA will solicit written comments on the topics discussed in these sessions. The data gathered through this process will be used to inform and report on the ways in which commercial data flows of personal information can lead to disparate impact and outcomes for marginalized or disadvantaged communities.

In FY2023 NTIA hosted a listening session and a request for comments for the Public Wireless Supply Chain Innovation Fund (PWSCIF). The listening session was conducted to gather input from industry on the technical gaps that the PWSCIF should fill and was attended by more than 200 participants. Following the listening session PWSCIF collected input from industry and received 90 submissions from industry.

Records Management

NTIA continues the process of moving from paper to electronic records management in accordance with guidance from the National Archives and Records Administration (NARA).

Freedom of Information Act (FOIA) Requests

Instructions on filing a FOIA request, as well as contact information, is on NTIA's FOIA site.

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Proactive Disclosures

NTIA publishes on its websites extensive information throughout its grants-making processes, including its Notices of Funding Opportunities (NOFOs), application materials, and Technical Assistance materials related to its grant programs. NTIA is also working to publish its awarded grant applications, award notices, and semi-annual financial and performance progress reports on its website. This supports both the transparency goal as well as providing the public with information that otherwise would have to be obtained through Freedom of Information Act (FOIA) requests.

Congressional Requests

NTIA receives congressional inquiries by phone, letter, and email. The Office of Congressional Affairs in the Office of the Assistant Secretary works with the Department's Office of Legislative and Intergovernmental Affairs to respond to inquiries promptly.

Declassification

The NTIA has no original classification authority.

Participation and Collaboration

NTIA uses its public websites for sharing information and providing opportunities for participation and collaboration with the public. BroadbandUSA includes information about NTIA's funding programs, webinars and other events that are open to the public, press releases, blogs, and technical assistance resources. Federal Register notices of public meetings are posted on <u>www.ntia.gov</u> and <u>www.firstnet.gov</u>. All comments in public comment proceedings are posted. Many public meetings are webcast and opportunities to participate via video conference are provided as well. NTIA provides links to Twitter, Facebook, YouTube, and LinkedIn accounts, as well as RSS feeds, to publicize opportunities for participation and collaboration.

NTIA's ITS hosts the annual International Symposium on Advanced Radio Technologies (ISART) that brings together government, academia, and industry leaders for the purpose of collaborating on groundbreaking developments and applications of advanced radio technologies.

Project-BroadbandUSA

NTIA launched the <u>BroadbandUSA website</u>, to inform the public about NTIA's work to expand broadband connectivity through educating, convening and assisting stakeholders. The website serves as a one-stop shop for broadband information around the federal government and makes it much easier for users to find grants information, events, webinars, and publications they need.

The online portal supplements ongoing BroadbandUSA work to help local and state governments, industry and nonprofits obtain the tools they need to expand broadband connectivity and promote digital inclusion. NTIA's National Broadband Availability Map Public GIS page (<u>https://nbam.ntia.gov/pages/open-data</u>) includes award dashboards and

geospatial data for the following programs: Broadband Infrastructure Program, Tribal Broadband Connectivity Program, and Connecting Minority Communities Pilot Program.

Additionally, the Public GIS page has a NTIA Permitting and Environmental Information Application that was created to help with permitting planning and environmental review preparation efforts by providing access to multiple maps from publicly available sources, including federal review, permitting, and resource agencies. The NTIA Permitting and Environmental Information Application is for informational purposes only and is intended solely to assist users with preliminary identification of broadband deployments that may require permits or planning to avoid potentially significant impacts on environmental resources subject to the National Environmental Policy Act (NEPA) and other statutory requirements.

Project - Establishing Online Access to Results of Broadband Survey

NTIA has periodically sponsored data collections on Internet use and the devices Americans use to go online as a supplement to the Census Bureau's annual Current Population Survey. The most recent surveys were conducted in October 2009, October 2010, July 2011, October 2012, July 2015, November 2017, and November 2019. Another survey has been underway since November 2021. For this survey, NTIA, for the first time ever, asked researchers, advocates, and other interested members of the public to tell us how to improve the NTIA Internet Use Survey, and requested comments on the draft questionnaire. Through this effort, NTIA is examining why people do not use high-speed Internet services and is exploring differences in Internet adoption and usage patterns around the country and across socioeconomic groups. NTIA and the Census Bureau release these data in open, Web-based formats, making the survey instruments and associated reports as widely available as possible. The Data Central section of NTIA's website, www.ntia.gov/category/data-central, is home to this data. The Data Explorer tool enables users to select from dozens of metrics tracked over time, as well as a number of demographic characteristics, and charts the requested data in multiple formats. Data Central web pages are consistently among the most visited on the NTIA website.

Project - Publishing Federal Spectrum Transition Plans

In March 2014, the Federal Communications Commission (FCC) adopted rules governing use of spectrum in the 1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz bands for Advanced Wireless Services (AWS-3). The FCC, in collaboration with NTIA and the federal agencies, was reallocated from federal use to non-federal use the 1695-1710 MHz and 1755-1780 MHz bands. Most of the incumbent federal systems currently using the 1755-1780 MHz band will relocate out of the band, although the FCC's rules also provide for indefinite sharing with a limited number of federal systems. Federal entities have submitted transition plans to NTIA, and NTIA has compiled and consolidated the estimated costs and timelines contained in the agency transition plans. In September 2014, NTIA published on its website the individual agency transition plans, and all plan data spreadsheets, in machine readable format. Updated plan data as well as aggregated Frequency/ Location/ Timeline data and aggregated Costs and Timeline data in XML and JSON formats were published in November 2019.

The FCC announced plans for a Citizens Broadband Radio Service (CBRS) spectrum auction in the 3550-3650 MHz band. The Commercial Spectrum Enhancement Act enables federal agencies to seek reimbursement for transition costs associated with an auction, and these plans must be made public no later than 120 days before the auction begins. NTIA provided initial estimates of sharing costs to the FCC in December 2019. These estimated costs were reviewed by OMB and approved by Congress. The final transition plans are posted on the NTIA website.

Project - Creating a Federal Spectrum Compendium

In April 2014, NTIA published a compendium of federal spectrum use in the 225 megahertz through 5 gigahertz bands—prime real estate that has prompted the most interest from both federal and commercial users. The compendium contains information for each frequency band in which the federal government has significant operations on an exclusive or shared basis. NTIA's compendium shows agencies' need spectrum for crucial tasks ranging from military flight testing to air traffic control to weather forecasting. The band reports provide a band-by-band description of how spectrum is used by federal agencies, the number and type of frequency assignments NTIA has authorized, and the percentage of frequency assignments by category. In addition, the data also feature contour maps showing where federal systems that utilize spectrum are located across the country. The compendium was made available initially in pdf format. NTIA first made the compendium data available in machine readable formats in FY 2015 and NTIA updates the information periodically. In FY 2017, NTIA expanded the compendium with ten new reports and data covering the 5 through 6 gigahertz bands.

Project - Multi-stakeholder Processes

In July 2012, NTIA began its first domestic multi-stakeholder privacy policy process, bringing together representatives from technology companies, trade groups, consumer groups, academic institutions and other organizations to develop a code of conduct on mobile application ("mobile app") transparency. A number of companies have adopted or are beginning to implement the code of conduct for mobile app transparency. A second multi-stakeholder process, begun in February 2014, focused on crafting privacy safeguards for the commercial use of facial recognition technology. A third multistakeholder process, begun in August 2015, focused on privacy, accountability, and transparency issues concerning Unmanned Aircraft Systems (UAS). NTIA began a multistakeholder process in September 2015 concerning the collaboration between security researchers and software and system developers and owners to address security vulnerability disclosure. In 2018, NTIA launched its multistakeholder process on Software Component Transparency, bringing together an active, engaged community to formulate and establish a software bill of materials (SBOM) - a nested inventory that makes up the "ingredients list" for software.

NTIA will continue to promote SBOM in our supply chain risk information work. With virtualized communications ecosystems expanding and improving our 5G footprint, transparency in software will be an important building block for security.

Project - Internet for All Grant Programs

Following the passage of the Infrastructure Investment and Jobs Act, NTIA is implementing the Broadband Equity, Access, and Deployment (BEAD) program, the Enabling Middle Mile Broadband Infrastructure Program, an additional Tribal Broadband Connectivity Program funding round, and three Digital Equity Act programs. NTIA is also administering the initial Tribal Broadband Connectivity Grant program, the Broadband Infrastructure Deployment Grant program, the Connecting Minority Communities Pilot Program, as well as implementing the provisions of the ACCESS Broadband Act.



National Technical Information Service (NTIS)

Traditionally, the National Technical Information Service (NTIS) has served as the Federal Government Clearinghouse for scientific, technical information (STEI) and data produced by or for Federal agencies (15 U.S.C. § 1151 et seq. and 3704b) to the public and industry. NTIS still maintains the world's most comprehensive collection of U.S.-sponsored research. As part of "America's Data Agency," the U.S. Department of Commerce, NTIS helps federal agencies make better decisions about data, with data, to promote American innovation, scientific research, technology transfer and economic growth. Our 21st century mission focus is to provide the support and structure that helps federal agencies to securely store, analyze, sort, and aggregate data usage in new ways. NTIS along with our Joint Venture program (private-sector partners) and Data Science teamwork side-by-side with universities, nonprofits and industry professionals to create new ways to experiment with data science technologies that benefit the American public.

Project - National Technical Reports Library (NTRL)

The <u>National Technical Reports Library</u> (NTRL) provides access to the largest collection of U.S. Government-sponsored technical reports. There is metadata for more than 3 million records with links to approximately 1,000,000 digitized full-text reports. The NTRL provides an open environment for public access to the results of U.S. Government-sponsored basic and applied research. The development of the NTRL is rooted within NTIS' basic authority to operate a permanent clearinghouse of scientific and technical information as codified in chapter 23 of Title 15 of the United States Code (15 U.S.C. §§ 1151-1157). This chapter also established NTIS' authority to provide products and services in a cost sustainable manner. Federal Agencies are required to provide their research results to NTIS per the American Technology Preeminence Act of 1992 (Public Law 102-245) (ATPA), and the results are available to the public in perpetuity.

Project - Data Science Platforms

The U.S. Commerce Department's <u>National Technical Information Service</u> (NTIS) has established partnerships with more than forty-five (45) organizations through a merit-based process as eligible to be joint venture partners (JVPs). The organizations, which include small and large companies, nonprofits and research groups, are eligible to compete to work with NTIS on groundbreaking data projects conducted for and funded by federal agencies. The focus of the 21st century NTIS mission is to support the fostering of data science innovation. This core NTIS mission is about providing expertise and assistance to both Commerce and other Federal agencies in leveraging data as a strategic asset to deliver datadriven solutions to achieve mission outcome within the NTIS framework.

The federal government collects an enormous amount of useful data for evidence-based decision making about everything from weather and climate to statistics on the U.S. economy, population and demographics to trade statistics by market and industry, scientific advancements to innovation products and services, including jobs supported by exports. However, many barriers exist for efficiently using, sharing, analyzing, and gaining insights from these national data resources, either alone or in combination with non-federal data. NTIS wants to accelerate the data innovation process by providing Data Science support to federal agencies and to utilize the NTIS partnership authorities for quickly connecting private sector experts with agencies striving to create smart cities, deliver critical public services, enhance operational excellence, or improve accessibility and interoperability among national data sets.



United States Patent and Trademark Office (USPTO)

The USPTO is the federal agency for granting U.S. patents and registering trademarks. In doing this, the USPTO fulfills the mandate of article I, section 8, clause 8 of the U.S. Constitution to "promote the progress of science and the useful arts by securing for limited times to inventors the exclusive right to their respective discoveries." The USPTO registers trademarks based on the Commerce Clause of the Constitution (article I, section 8, clause 3). Under this system of protection, American industry has flourished. New products have been invented, new uses for old ones have been discovered, and employment opportunities have been created for millions of Americans. The strength and vitality of the U.S. economy depends directly on effective mechanisms that protect new ideas and investments in innovation and creativity. The continued demand for patents and trademarks underscores the ingenuity of American inventors and entrepreneurs. The USPTO is, therefore, at the cutting edge of the nation's technological progress and achievement.

The USPTO advises the President, the Secretary of Commerce, and U.S. Government agencies on IP policy, protection and enforcement, and promotes stronger and more effective IP protection around the world. The USPTO furthers effective IP protection for U.S. innovators and entrepreneurs worldwide by working with other agencies to secure strong IP provisions in free trade and other international agreements. It also provides training, education, and capacity building programs designed to foster respect for IP and encourage the development of strong IP enforcement regimes by the United States' trading partners.

Project: Improving Transparency

Data Visualization Center. The <u>Data Visualization Center</u> is a quick source of USPTO information regarding processing and quality measures in the Patents organization, the Trademarks organization, the Office of Policy and International Affairs, and the Patent and Trademark Trial and Appeal Boards. It is available from the USPTO homepage by selecting "Learning and Resources" and subsequently choosing "Open data & mobility." Once there, users can see "dashboards" of specific data from each business unit, updated on a quarterly basis.

Open Source Code on Github

Consistent with the Federal Source Code Policy and in support of Open Government Initiatives, the USPTO continues to publish content on <u>Github</u>. This repository provides source code and artifacts for accessing public patent and trademark data.

Open Data and Research Datasets

Open data from the U.S. Government is a valuable resource that drives innovation, scientific discoveries, and business activities. It also helps make our government more efficient, transparent, and cooperative.

The USPTO creates a large amount of data about patents, trademarks, and intellectual property (IP) policies every day. This data is useful for many people, including independent inventors, small and large businesses, law firms, companies that analyze patents, universities, government agencies, international IP offices, and the public. The USPTO is dedicated to making its valuable data more accessible, promoting transparency, innovation, and collaboration. By improving access to this data, the USPTO supports equal opportunities for everyone in the field of innovation. In 2014, the USPTO started to modernize how it shared this data. Instead of sending data on CD-ROMs to a few hundred customers for a fee, the USPTO began distributing data for no charge electronically through several online tools/ systems, making it easier for the public to access: The <u>Developer Hub</u>, the <u>Patent</u> <u>Examination Data System</u>, and the <u>Bulk Data Storage System</u>.

With the increasing amount of patent and trademark data and growing customer demand, the USPTO will improve how it shares this information. The Open Data Portal (ODP) will be launching in the Fall of 2024. The ODP combines several data services into one easy-to-use website. This will help people find and use the specific patent and trademark data they need in the format of their choosing.

To advance research on matters relevant to IP, entrepreneurism, and innovation, the Office of the Chief Economist (OCE) releases research datasets to support the study of the economics of patents and trademarks-an element in the USPTO's economics research agenda. The OCE presents these data in forms that are convenient for both public use and academic research, consistent with the agency's responsibility to make patent and trademark information open and transparent. The OCE has also developed supplementary documentation providing a comprehensive description of datasets and sharing initial findings. Furthermore, the USPTO's work on developing IP policy is supported by empirical studies, including those on the economic impacts of IP and innovation conducted by the OCE. The OCE has continued its efforts to improve the availability and guality of IP data, releasing updates to its research datasets and PatentsView system covering a broad scope of IPrelated information. In FY 2022, the OCE released two new data files, collectively called the Artificial Intelligence Patent Dataset to assist researchers and policymakers focusing on the determinants and impacts of artificial intelligence (AI) invention. The OCE generated this data using a machine learning approach that analyzed patent text and citations to identify AI in U.S. patent documents. In FY 2024, working with the Council for Inclusive Innovation (Cl²), the OCE also launched a Diversity Information Platform (DI Platform) to advance diversity and inclusion efforts throughout the innovation ecosystem by providing a no-cost tool for datadriven analyses and a one-stop shop for discussing and sharing best practices. The DI Platform is built on public data available from the U.S. Census Bureau, the Equal Employment and Opportunity Commission (EEOC), and the USPTO. The platform increases transparency by providing on-demand access demographic makeup of the USPTO workforce by geography and occupation. The platform is also a tool that allows users to benchmark their own organizations' data against the demographic makeup of the U.S. and/or their industry sectors. All of the visualizations and data on the DI Platform are downloadable and usable without restrictions for creating presentations or using the data directly in other applications or software.

The USPTO Patent Trial and Appeal Board (PTAB) Statistics & Tracking provides <u>historical</u> <u>data and performance benchmarks</u> on its trials and other procedures, in addition to regular and special reports on topics of public interest. It also provides a public access point for users to inquire directly to the PTAB with questions about the published statistics.

Freedom of Information Act (FOIA) Requests

The USPTO has done an excellent job in responding to FOIA requests in a timely manner, processing 259 requests in FY 2023. The USPTO FOIA Office continues to monitor and examine the processing of FOIA requests received each year to determine how to further improve FOIA processing. The USPTO also continues to provide additional training to USPTO FOIA personnel, records custodians, and other agency employees.

Congressional Requests

In addition to maintaining a dedicated mailbox (<u>congressional@uspto.gov</u>) for constituent issues, the USPTO redesigned the Office of Governmental Affairs' (OGA) webpage to make the format more useful. OGA has eight personnel, with one person dedicated to handling Congressional requests. When a request is received, staff consults the appropriate subject

matter expert. The Director of OGA reviews the Congressional query, the researched answer, and responds to Congress. The requests are not made public by the USPTO, as they often refer to specific patent applications that are privacy-protected by law for a specific period of time.

Project: Improving Participation New Initiatives

Stakeholder Outreach Improvement Programs. To conduct better outreach to the public and its stakeholders, the USPTO has undertaken an analysis of potential outreach programs that could be created or improved for its customers. New programs include:

- Entrepreneurship Resources for the Military Community. The USPTO established its entrepreneurship resources for the military community initiative to empower more veterans, military spouses, and service members to participate in the innovation ecosystem and to support their entrepreneurial pursuits. During FY 2023, the USPTO, in partnership with the Small Business Administration (SBA) and other entrepreneurial support organizations, conducted road shows at eight military bases and delivered startup resources to nearly 500 individuals from four service branches. The USPTO also worked with the SBA to revamp IP modules in SBA's Boots to Business curriculum, enhancing IP education for transitioning service members and military spouses. In addition, the agency's <u>one-day patents and trademarks boot camps</u> provided comprehensive IP information to pro se filers (customers filing applications without the assistance of counsel) and underrepresented communities.
- First-Time Filer Expedited Examination Pilot Program. The USPTO receives approximately 40,000 patent applications per year that name at least one inventor who is a first-time filer. For the smaller subset of first-time micro entity filers, including those in historically underserved geographic and economic areas, wait times for the patent application process may act as a barrier. Under Cl², the USPTO created a pilot program that provides expedited examination to applicants in underserved populations. Specifically, the First-Time Filer Expedited Examination Pilot Program strives to increase accessibility for inventors new to the patent application process. This program accelerates the first office action for pilot participants, increasing the possibility of an early indication of patentability and allowing inventors to make business decisions earlier in the patent process. If the invention is patentable, a faster patent grant can get the innovation to market more rapidly than average.
- Women Entrepreneurs MENTEE Pilot Program. The USPTO—in collaboration with the Intellectual Property Owners Association (IPO)—also launched the <u>Women</u> <u>Entrepreneurs MENTEE Pilot Program</u>, a cooperative effort bringing together mentors and mentees to encourage community building and the empowerment of women inventors and entrepreneurs. The program provides participants an opportunity to connect with members of the IPO, an international trade association made up of diverse companies, law firms, service providers, and individuals in all industries and technology fields who own, or are interested in, IP rights.

Website Improvements. In parallel with its many other efforts to increase accessibility, the USPTO has been identifying various webpages it can improve to better meet the needs of its customers and the public.

- Modernized search tool. To provide a more modern, improved user experience for visitors to <u>www.uspto.gov</u>, the United States Patent and Trademark Office (USPTO) has launched an updated tool to <u>search for general information</u>. The improved search experience introduces new features, functionality, and customization for visitors using the search bar that appears at the top of our webpages.
- Intellectual Property (IP) Identifier tool. This user-friendly, virtual resource- designed for those who are less familiar with IP-enables users to identify whether they have IP and the IP protections they need to support and advance their business, invention, or brand. The <u>IP Identifier</u> serves as an important foundation for an innovator, entrepreneur or creator's IP journey. In addition to the tool helping identify a person's or company's intellectual property, it provides easily digestible information on intellectual property patents, trademarks, copyrights, and trade secrets.
- EquIP HQ. A new web-based portal designed for K-12 educators and learners to support the development of STEM-based lesson plans that will enhance student learning, creativity, and innovation. The portal features teacher and student-tested lesson plans, interactive and fun activities, and videos of young inventors to inspire and unlock inclusive innovation within every student. EquIP HQ introduces students to the world of patents, trademarks, copyrights, and trade secrets at age-appropriate levels, allowing them to discover how IP plays a vital role in our everyday lives.

Ongoing Initiatives

- Council for Inclusive Innovation (CI²). After a growing body of USPTO and academic research revealed limited participation by women and underrepresented minorities in the patent system, the USPTO established the <u>Council for Inclusive Innovation</u>. The Council consists of IP leaders in corporate, academic, professional, and government organizations, and is charged with helping the USPTO develop a comprehensive national strategy to increase participation in our innovation ecosystem by encouraging, empowering, and supporting all future innovators. The USPTO and Council recently announced a new <u>National Strategy for Inclusive Innovation</u>. The Strategy aims to grow the economy, create quality jobs and address global challenges by increasing participation in STEM, inventorship, and innovation among youth and those from historically underrepresented and under resourced communities.
- <u>Regional Offices/Outreach.</u> The USPTO operates a headquarters and Eastern Regional Outreach Office in Alexandria, Virginia, and four additional regional offices across the nation. Combined, these provide inventors, entrepreneurs, and small businesses a USPTO presence in every U.S. time zone. Staff in the USPTO's offices work closely with IP practitioners, startups, and job-growth accelerators. They also

collaborate with local science, technology, engineering, and mathematics organizations on outreach and educational programing. During FY 2023, over 400 oneon-one meetings with customers and stakeholders were held along with over 750 trainings/events. In December 2023, in accordance with provisions of the <u>Unleashing</u> <u>American Innovators Act of 2022</u>, the <u>USPTO announced</u> Atlanta, Georgia, as the site of its new Southeast Regional Office. The agency also announced it will establish a new community outreach office in Strafford County, New Hampshire.

- Inventor Resources and Training Programs. The USPTO offers a wide variety of programs to ensure that novice and independent inventors and entrepreneurs have the necessary information to file for IP protection.
- Stakeholder Training on Examination Practice and Procedure (STEPP) for independent inventors. STEPP is a three-day, in-person course designed to provide external stakeholders with a better understanding of how and why an examiner makes decisions while examining a patent application. The training is led by patent examination subject matter experts, and the material used in the program is derived from training delivered to patent examiners and other USPTO employees. Participants learn how an examiner is taught to use the Manual of Patent Examining Procedure to make patentability determinations, and they gain an understanding of an examiner's point of view that may increase their situational awareness and aid in compact prosecution.
- Inventors Assistance Center (IAC). Independent inventors can contact the USPTO's IAC for help on a variety of issues. Staffed by former, experienced supervisory patent examiners and primary examiners, the IAC provides patent information and services to the public, including assistance with filling out forms and general information on relevant rules, procedures, fees, and patent examining policy.
- Pro Se Assistance Program. Recognizing that the cost of legal assistance for preparing and prosecuting a patent application is prohibitive for many independent inventors and small businesses, the USPTO launched the Pro Se Assistance Program, the first of its kind, to help inventors protect their valuable IP. The program is designed to assist everyone from students to veterans, retirees, and PhDs. It helps make the U.S. patent system more transparent and reduces obstacles for unrepresented patent applicants. It also helps independent inventors and small businesses during the prosecution of their applications, provides targeted support to connect independent inventors and small businesses with relevant IP-related resources and information, and educates pro se applicants on the patent process.
- <u>Patent Pro Bono Program</u>. This program is comprised of a nationwide network of independently operated regional not-for-profit programs that provide under-resourced inventors and small businesses with opportunities to secure legal assistance for their patent needs. Each regional program provides services for residents of one or more states. Patent practitioners donate their time to help inventors who cannot afford to

obtain legal advice on the filing and prosecution of patent applications. Inventors and small businesses that meet certain financial thresholds and other criteria may be eligible for free legal assistance in preparing and filing a patent application. The USPTO strengthened the Patent Pro Bono Program with 21 independent not-for-profit programs and nearly doubled its budget to \$1.2 million during FY 2023. The USPTO also launched Patent Pro Bono "pathways" events that connects participants with information and resources regarding IP protection, funding options, and inventor networks. The agency conducts pathways events in coordination with the Pro Bono Advisory Council and the Small Business Administration. In 2023, an event was held in Minneapolis, Minnesota and another at the USPTO headquarters in Alexandria, Virginia. In 2024, an additional event was held in Atlanta, Georgia.

- Scam Prevention. While the USPTO does not investigate complaints or participate in any legal proceedings against invention promoters/promotion firms, under the <u>American Inventors Protection Act of 1999</u>, the USPTO provides a public forum for the publication of complaints concerning invention promoters/promotion firms. Also in the forum, the USPTO publishes responses to the complaints from the invention promoters/promotion firms. The USPTO accepts complaints filed against invention promoters/promotion firms and forwards them to the invention promoters/promotion firms for response. The USPTO does not accept complaints submitted by this system if the complainant requests confidentiality.
- Patent and Trademark Resource Centers (PTRCs). Obtaining a patent for an invention without representation can be challenging for independent inventors and small business owners. Although the USPTO's website hosts a wealth of information about how to navigate the process, the amount of information and the automated tools available to search for prior art can be overwhelming for a novice. Authorized by 35 U.S.C. 12, PTRCs disseminate patent information and support the diverse IP needs of the public. PTRCs provide the human touch that is often very beneficial when helping inventors and small businesses understand the patent process and find information they need to protect their IP. In FY2023, PTRCs were expanded to include additional libraries to states that did not have any PTRCs and increasing the number of PTRCs at Historically Black Colleges and Universities.
- Law School Clinic Certification Program. The Law School Clinic Certification Program allows law students enrolled in a participating law school's clinic program to practice IP law before the USPTO under the strict guidance of a law school faculty clinic supervisor. The program currently consists of students practicing in both patent and trademark law before the USPTO. It is administered by the USPTO's Office of Enrollment and Discipline. The Director of the Office of Enrollment and Discipline grants the law students limited recognition to practice before the USPTO. Students gain experience drafting and filing either patent or trademark applications for clients of the law school clinic. Further, as they are authorized to practice before the USPTO, they gain experience answering office actions and communicating with either patent examiners or trademark examining attorneys about the applications they have filed.

The USPTO expanded this program to welcome three new institutions in FY 2023 and the program now comprises over 60 participating law school clinics.

- Inventors Digest. The USPTO partners with Inventor's Digest to produce useful and timely information on USPTO programs and policies to support America's independent inventor and small business community. Every issue features information inventors can use tips on working with the USPTO; events; organizations and meetings of interest to the inventor community; issues that impact independent inventors and small business owners; and stories about people who have become successful inventors.
- PTAB Pro Bono Program. Inventors, inventor groups, and inventor-owned small businesses who meet certain financial thresholds and other criteria may be eligible for free legal assistance when appearing before the PTAB. The PTAB Pro Bono Program matches volunteer patent professionals with financially under-resourced inventors, inventor groups, and inventor-owned small businesses to provide free legal assistance in preparing ex parte appeals to the PTAB. The PTAB Bar Association is the clearinghouse for this program.
- Independent Inventors Conferences. The USPTO hosts a number of annual conferences that provide a venue for IP and small business subject matter experts to deliver valuable information regarding IP and commercialization best practices that can help attendees be more successful. For these events, the USPTO also invites representatives of federal and local organizations, such as the U.S. Copyright Office, the Small Business Administration, and the Minority Business Development Agency, as well as attorneys from IP law associations and subject matter experts in marketing. Additionally, independent inventors and small business owners are invited to share their personal experiences, success stories, and best practices for obtaining IP rights without representation.
- <u>Women's Entrepreneurship Symposium</u>. The USPTO hosts the Women's Entrepreneurship Symposium to recognize the key role that women play in innovation and entrepreneurship. This event provides a platform for IP subject matter experts to share knowledge with women-owned businesses. It also offers a great opportunity for innovators and entrepreneurs, both men and women, to network and interact with officials from the USPTO.
- Invention-Con. Innovators, small business owners, students, IP lawyers, educators, and entrepreneurs from across the country converge annually at Invention-Con. This three-day event gives participants the chance to learn from accomplished innovators, inventors, entrepreneurs, and business owners about how to use their IP to achieve success. It provides education on resources available throughout the innovation ecosystem as well as valuable information on developing an IP strategy.

Project: Improving Collaboration

The USPTO offers a number of opportunities for the public to participate in the agency's core mission. These programs allow the agency to gather ideas from and increase collaboration with those in the private sector, nonprofit, and academic communities.

- Public Engagement Partnership Meeting Series. The USPTO hosted a <u>series of</u> <u>meetings</u> to increase our interaction with the public about the patent system. The USPTO seeks to connect with individuals, advocacy groups, public interest focused nonprofits, and academics to exchange ideas, experiences, and insights related to patent policies and procedures. The USPTO held two meetings in 2024.
- Al/ET Partnership. The USPTO's goal is to foster and protect innovation in Artificial Intelligence (AI) and Emerging Technologies (ET) and use those innovations impact to enhance our country's economic prosperity and national security and to solve world problems. The <u>Al/ET Partnership</u> is an ongoing cooperative effort between the USPTO and the Al/ET community, including academia, independent inventors, small businesses, industry, other government agencies, nonprofits, and civil society. The USPTO seeks to engage the Al/ET community on ongoing and future USPTO Al/ET efforts, such as using AI and ET within the agency to enhance the quality and efficiency of patent and trademark examination. Additionally, the USPTO seeks the public's views on various IP policy issues that uniquely affect the Al/ET community. The USPTO recently hosted a public symposium on IP and AI, with a focus on copyright law, at Loyola Law School in Los Angeles. The event was organized in collaboration with the United States Copyright Office.
- Customer Partnership Meetings (CPMs). The CPMs rely on the engagement of both internal and external stakeholders to establish enhanced communication channels. They provide valuable opportunities for external stakeholders to meet directly with USPTO representatives in a collaborative forum. The CPMs allow the USPTO to share plans and operational efforts with stakeholders. These meetings also enable the patent community to exchange ideas, experiences, and insights and to discuss patent examination policies and procedures, mutual concerns, and solutions to common problems.
- Public Advisory Committees (PACs). The PACs for the USPTO were created by statute in the <u>American Inventors Protection Act of 1999</u> to advise the Under Secretary of Commerce for Intellectual Property and Director of the USPTO on the management of patent and trademark operations. The PACs consist of United States citizens chosen to represent the interests of the diverse customers of the USPTO. The PACs review the policies, goals, performance, budgets, and user fees of the patent and trademark operations and advise the Director on these matters. Appointments to the PACs are made by the Secretary of Commerce.

Appendix A

Open Government Initiatives

The tables below show a list of initiatives with the following status:

- **in progress** the initiative is still in the development phase;
- **completed** the initiative has been completed;
- **ongoing/continuous** the initiative is in a continual lifecycle management and will have changes and updates that enhance the Open Government posture of the bureau or operating unit;
- **live/operational** the initiative has been completed and moved to the live/operational area for a BOU; there are no additional Open Government enhancements planned; and
- **shutdown/close-out** the initiative has been shut down or closed-out due to a BOU change in mission goals (i.e. lack of funding, priority changes, initiatives cancelled)

Table 1 – Office of Inspector General (OIG)

Project	Status	Estimated Completion
Continue to improve network infrastructure to ensure security of privacy information by analyzing and updating privacy controls.	Ongoing/Continuous	
Improve records management processes by revising records management policies and OIG disposition processes. The resubmission of the OIG's CAPSTONE plan, as required by NARA every 4 years, was approved in June 2023.	Ongoing/Continuous	
Continue OIG IT modernization efforts to bring the agency into alignment with OMB's Zero Trust Strategy as outlined in Executive Order 14028.	Ongoing/Continuous	
Continue to focus on utilizing more Cloud services to enhance the security, protection of CUI, PII, BII, and availability of resources.	Ongoing/Continuous	

Table 2 – Bureau of Economic Analysis (BEA) Initiatives

Project	Status	Estimated Completion
Provided the public with open-source code and related documentation through BEA's GitHub repository to reproduce charts and tables for prototype measures of economic well-being and growth.	Live/Operational	
LinkedIn added to BEA's social media tools to communicate with the public.	Live/Operational	
Continue to enhance customer experience and usability on BEA's public website by acting on customer feedback.	Ongoing/Continuous	
Improve data retrieval times from the BEA API during high interest data releases.	In Progress	

Table 3 – Bureau of Industry and Security (BIS) Initiatives

Project	Status	Estimated Completion
Training Seminars	Ongoing/Continuous	

Table 4 - Census Bureau Initiatives

	Project	Status	Estimated Completion
Op	en Census	Live/Operational	
Ad	ld High Value Datasets to Data.gov	Live/Operational	

2020 Census Data Products	Live/Operational	
2090 Census Data Quality	Live/Operational	
2030 Census Research Project Explore	Live/Operational	
2020 Census Evaluations and Experiments	Live/Operational	
Post-Census Quality Initiatives	Live/Operational	
Improving LED Data Visualization	Ongoing/Continuous	
Application Programming Interface	Live/Operational	
Implementing the Federal Digital Strategy	Live/Operational	
Increasing Support for American Community Survey Data Users	Ongoing/Continuous	
Agility in Action – A New Research Agenda to Enhance the ACS	Ongoing/Continuous	
Improving Demographic Mapping Tools	Ongoing/Continuous	
Census Flows Mapper	Live/Operational	
TIGERWeb	Live/Operational	
Live Webcasting	Live/Operational	
QuickFacts	Live/Operational	
Response Outreach Area Mapper (ROAM)	Live/Operational	
Map Applications (viewers) for 2020 Census Operations	Completed	

Map Viewer in Support of the Committee on Foreign Investment in the United States	Live/Operational
Address Count Listing Files Viewer	Live/Operational
Map Viewer in Support of the 2020 Census P.L. 94-171 Redistricting Data Summary Files Release	Completed
Creating a More User-Friendly Interface for Business Survey Respondents	Live/Operational
Accelerating Economic Indicators	Ongoing/Continuous
Construction Modernization	Ongoing/Continuous
Making Economic Indicators More Accessible	Ongoing/Continuous
Experimental Data Products	Ongoing/Continuous
Webinar Series	Live/Operational
The Opportunity Project	Live/Operational
Federal Advisory Committees	Ongoing/Continuous
Sunshine Week Event	Ongoing/Continuous
Privacy Day Event	Ongoing/Continuous

Table 5 – Economic Development Administration (EDA) Initiatives

Project	Status	Estimated Completion
Launch of New Good Jobs Challenge Performance Measurements	Completed	FY23
Good Jobs Challenge	Ongoing/Continuous	

Table 6 – International Trade Administration (ITA) Initiatives

Project	Status	Estimated Completion
Developing a 21st Century Digital Presence to Better Serve Customers	Live/Operational	
Industry & Analysis Digital Assistance Pilot	Completed	FY23
Trade Agreements Secretariat Electronic Filing (e-filing)	Live/Operational	
Raising awareness of the SelectUSA program and its available services	Live/Operational	
Market Intelligence Program: Actionable Market Intelligence Fed to U.S. Exporters	Live/Operational	
Supporting ITA Data Through Cloud Services	Live/Operational	

Table 7 – Minority Business Development Agency (MBDA) Initiatives

Project	Status	Estimated Completion
MBDA Online CRM/Performance Database System	Ongoing/Continuous	
MBDA Chatbot	Shutdown/Close-Out	
Information Clearinghouse – Research Library	In Progress	FY25
Information Clearinghouse – Data Warehouse	In Progress	FY25

Table 8 – National Institute of Standards and Technology (NIST) Initiatives

Project	Status	Estimated Completion
Develop Process Maps for Forensic Science Investigations	Ongoing/Continuous	
Make Directives of Public Interest Available on NIST's Website	In Progress	FY26
Make Authors Responsible for Accessibility of Manuscripts Submitted to Publishers	In Progress	FY26
Develop METIS, a Metrology Exchange to Innovate in Semiconductor	In Progress	FY26
Research Data Management Framework (RDaF) version 2.0	Live/Operational	FY24
NIST Additive Manufacturing Benchmark Test Series Data (AM Bench) Available via SciServer	Completed	FY23

New iEdison launch	Completed	FY23
Release of e-Commerce Site for Acquisition of NIST Measurement Services	Completed	FY23

Table 9 – National Oceanic and Atmospheric Administration (NOAA) Initiatives

Project	Status	Estimated Completion
NOAA response to NOAA Science Advisory Board Report on Open Data / Open Science	Completed	FY25
NOAA Open Data Dissemination: NODD website; list of NODD datasets	Ongoing/Continuous	
Proposal, to be published in Federal Register, for System of Records Notice (SORN) to cover the Sexual Assault/Sexual Harassment (SASH) program records collection	In Progress	FY25
Streamline OIG intake process for all OIG disclosures tasked out by NOAA Office of the Chief Administrative Officer / Audit and Information Management Office (OCAO/AIMO)	In Progress	FY24
Establishment of new program - Digital Engagement and Transformation Program (DETP) - to promote a positive external customer experience across NOAA's vast web presence, data assets, and other communication channels by prioritizing access to and understanding of NOAA's critical mission areas through a digital-first lens, with focus on: Digital Access, Customer Experience, and Digital Transformation	In Progress	
Climate.gov to promote public understanding of climate science and climate- related events, to make NOAA data products and services easy to access and use, to provide climate-related support to the private sector and the Nation's economy, and to serve people making climate-related decisions with tools and resources that help them answer specific questions	Ongoing/Continuous	

Continued NOAA support of government-wide transparency initiatives, e.g., Data.gov, eRulemaking, and IT Dashboard	Ongoing/Continuous	
Comprehensive and robust public-facing webpage for its Fisheries notices via NOAA Fisheries Rules and Regulations webpage	Ongoing/Continuous	
Implementation of an electronic records management system	In Progress	FY28
Issue the Appendix to the NOAA Guidance and Best Practices for Engaging and Including Indigenous Knowledge in Decision-Making	Completed	FY24
Development of CUI Training videos	In Progress	FY25
NOAA Office of Legislative and Intergovernmental Affairs coordination of and responses to Congressional Requests	Ongoing/Continuous	
Development of NOAA Equitable Climate Services Action Plan	Completed	FY24

Table 10 – National Telecommunications and Information Administration (NTIA) Initiatives

Project	Status	Estimated Completion
Establishing Online Access to Results of Broadband Survey	Live/Operational	
Publishing Federal Spectrum Transition Plans	Live/Operational	
Creating a Federal Spectrum Compendium	Live/Operational	

Multistakeholder Policy Process	Ongoing/Continuous	
BroadbandUSA	Ongoing/Continuous	
Internet for All Grant Programs	Ongoing/Continuous	

Table 11 – National Technical Information Service (NTIS) Initiatives

Project	Status	Estimated Completion
National Technical Report Library	Ongoing/Continuous	FY25

Table 12 – United States Patent and Trademark Office (USPTO) Initiatives

Project	Status	Estimated Completion
Improving Transparency	Ongoing/Continuous	
Data Visualization Center	Live/Operational	
USPTO Open Source Code on Github	Live/Operational	
Open Data Program	Live/Operational	
FOIA and Congressional Requests	Live/Operational	
Improving Participation	Ongoing/Continuous	

Stakeholder Outreach Improvement Programs	Live/Operational	
Council for Inclusive Innovation	Live/Operational	
Website Improvements	Live/Operational	
Regional Offices	Live/Operational	
COVID-19 Response Resource Center	Live/Operational	
Inventor Resources and Training Programs	Live/Operational	
Independent Inventors Conferences	Live/Operational	
Improving Collaboration	Ongoing/Continuous	
Public Engagement Partnership Meeting Series	Live/Operational	
AI/ET Partnership	Live/Operational	
Customer Partnership Meetings	Live/Operational	
Public Advisory Committees	Live/Operational	