Chief FOIA Officer Report

Office of Privacy Open Government

Freedom Of Information Act (FOIA) Program

The Commerce Department's mission is to help make American businesses more innovative at home and more competitive abroad.

2015

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Section I: Steps Taken to Apply the Presumption of Openness

The guiding principle underlying the President's FOIA Memorandum and the Attorney General's FOIA Guidelines is the presumption of openness.

Please answer the following questions in order to describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. You may also include any additional information that illustrates how your agency is working to apply the presumption of openness.

FOIA Training

1.   Did your agency conduct FOIA training during the reporting period for FOIA professionals?

> **Yes. The Department of Commerce did provide substantive FOIA training during the reporting period**.

2.   If yes, please provide a brief description of the type of training conducted and the topics covered.

> **Training was conducted for FOIA professionals at the bureau and operating unit level, some bi-weekly, some monthly, some bi-monthly, and at the agency level during quarterly FOIA Officer Roundtable meetings. Topics of the training sessions included:**

>> - **in-depth application of FOIA exemptions**
>> - **overview of the President's FOIA Memorandum and the Attorney General's FOIA Guidelines**
>> - **communicating with the public**
>> - **processing and responding to FOIA requests**
>> - **maintaining records electronically**
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- **FOIA records retention**
- **summary of the FOIA**

Additionally, monthly FOIA Lunch and Learns for FOIA and Census Bureau staff covered topics such as: What Every Agency Should Know About FOIA; Helpful Hints to Program Areas for Processing FOIA Requests; An Overview of the FOIA Exemptions; and FOIA Requests for Title 13 Protected Records (A Discussion of How FOIA Exemption 3 Applies).

3. Did your FOIA professionals attend any FOIA training or conference during the reporting period such as that provided by the Department of Justice? Such training or events can include offerings from OIP, your own agency or another agency or organization.

    Yes. FOIA training events attended:

    - **Freedom of Information Act for Attorneys and Access Professionals hosted by DOJ/OIP**
    - **FOIA/Privacy Training hosted by American Society for Access Professionals (ASAP), Annual Training Conference**
    - **FOIA Sunshine Week Refresher hosted by Census and the Department of Commerce (DOC)**
    - **FOIA Roundtable: Estimated Dates of Completion hosted by DOJ/OIP**
    - **FOIAonline training hosted by the DOC and the EPA**
    - **Advanced FOIA training hosted by DOJ/OIP**
    - **Common Core FOIA Regulations Kickoff Meeting organized by DOJ/OIP**
    - **ASAP webinars, to include: Introduction to the FOIA; Fees and Fee Waivers; FOIA and Privacy Act Interface; FOIA Exemptions Overview; and Exemption 4**
    - **Introduction to the Freedom of Information Act hosted by DOJ/OIP**
    - **Advanced Freedom of Information Act Seminar hosted by DOJ/OIP**
    - **FOIA Litigation Seminar hosted by DOJ/OIP**
    - **Census Bureau FOIA training, to include: FOIA – Back to the Basics; FOIA Processing Overview; FOIA Case Recordkeeping; FOIA Cases – Introduction to Redacting Documents; and How to Apply FOIA Exemptions**

4. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

    For the Department overall, we estimate an average of 67% of FOIA professionals attended substantive FOIA training during this reporting period.

The following bureaus reported 100% of FOIA professionals attended substantive FOIA training during this reporting period: Office of the Secretary, Bureau of Industry and Security, Census Bureau, Bureau of Economic Analysis/Economic and Statistics Administration, National Institute of Standards and Technology, National Telecommunications and Information Administration, and National Technical Information Service.

The Office of Inspector General reported 67% of FOIA professionals attended substantive FOIA training during this reporting period. The Minority Business Development Agency, Economic Development Administration, and the United States Patent and Trademark Office reported 50 % of FOIA professionals attended substantive FOIA training during this reporting period. The National Oceanic and Atmospheric Administration reported 20% of FOIA professionals attended substantive FOIA training during this reporting period. The International Trade Administration reported 33% of FOIA professionals attended substantive FOIA training during this reporting period.

5. In the 2014 Chief FOIA Officer Report Guidelines, OIP asked agencies to provide a plan for ensuring that core, substantive FOIA training is offered to all agency FOIA professionals at least once each year. Please provide the status of your agency's implementation of this plan. Include any successes or challenges your agency has seen in implementing your plan

   The Department of Commerce was successful in providing core, substantive FOIA training, offered by the Office of General Counsel, General Law Division, to all agency FOIA professionals during a FOIA Officers Roundtable meeting.

Outreach:

6. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA?   This question addresses outreach that is conducted outside of the individual request or appeal process. For example, outreach activities can include engaging with frequent requesters by holding meetings or events which include them, conducting surveys or otherwise soliciting requester feedback, or participating in any other requester initiative coordinated by your agency or by others, such as OIP.

   A major outreach accomplishment in 2014 was the Sunshine Week event that was held on March 20, 2014 in the Census Bureau Library. At the event, guest speakers spoke about the FOIA and Open Government to an audience that included a cross-section of individuals from the federal government and the public. We also held a "Brown Bag Session" that centered on the topic: "FOIAonline: A Discussion with FOIA Professionals and the FOIA Requester Community." Due to the success of the event, the Census Bureau is holding another one in 2015 that will span two days

and include twice as many quest speakers from both the federal and public communities.

Commerce FOIA professional staff participated in the DOJ/OIP Best Practices workshop on Proactive Disclosures offered in July 2014 that involved representatives from the requester community/open government groups, as well as agency FOIA professionals.

7.   If you did not conduct any outreach during the reporting period, please describe why?

Not applicable.

Discretionary Releases:

8.   Does your agency have a distinct process or system in place to review records for discretionary release? If so, please briefly describe this process. If your agency is decentralized, please specify whether all components of your agency have such a process or system in place?

All FOIA professionals actively engage their operating unit from the outset of the request to help determine whether or not discretionary releases may be made. All components of the Department have a process in place for making discretionary releases.

The Office of the Secretary, ESA, MBDA, NIST, NOAA, and NTIS require the originator of the document or a qualified subject matter expert to conduct document reviews. A secondary document review is conducted by the FOIA Officer or FOIA professional to ensure that the exemption is appropriately applied and with an eye toward presumption of openness. If during the secondary review, a foreseeable harm cannot be identified, the document is referred back to the originator or subject matter expert for additional review. If an agreement cannot be reached, then both the subject matter expert and the FOIA Officer/FOIA professional seek assistance for the Office of the General Counsel.

As a way to ensure that the presumption of openness is being applied, the Census Bureau FOIA Office conducts group reviews of responsive records to which FOIA Exemptions 2, 5 U.S.C. § 552(b)(2), 5, 5 U.S.C. § 552(b)(2), or 7, 5 U.S.C. § 552(b)(7) apply.   These types of reviews serve two main purposes: a) they help train FOIA professionals on the definition and application of the presumption of openness, and b) they help to ensure the presumption of openness is being applied, whenever and as much as possible. FOIA staffs are also required to complete a harm analysis and review for the portions of the responsive records to which FOIA Exemptions 2, 5, or 7 apply. Individuals in the offices where the records originated are consulted in determining if any specific harm would be caused by the release.

To determine whether a discretionary release is possible, ITA first requires a document review by a qualified subject matter expert (SME). The SME often created or, at least, maintains control of the record that is being reviewed. The SME conducts a foreseeable harm review of the portions of the record that could be protected under the FOIA. Afterward, ITA's FOIA Officer conducts a secondary review to see what information could be discretionarily released. The review consists of two steps. First ITA's FOIA Officer inquires why the SME is not requesting information that normally falls under Exemption 5 to be protected. The SME then provides rational on whether: the information would not inhibit open, frank discussion; the draft reflects final agency action; or the information would not cause public confusion. Second, ITA's FOIA Officer reviews the suggested withholdings for possible discretionary disclosure. If the FOIA Officer cannot reasonably identify a foreseeable harm, the portion of the record in question is referred back to the SME for a second review. If an agreement cannot be reached, then both the SME and the FOIA Officer seek assistance from the Departmental Office of Privacy and Open Government and/or the Office of the General Counsel.

All NTIA FOIA requests are processed by the NTIA's Office of the Chief Counsel (NTIA/OCC). All responsive documents are reviewed by an attorney in the Office of the Chief Counsel to ensure that the exemption is appropriately applied to each FOIA requested document. As a part of this process the attorney also determines whether even if an exemption were to apply there would be harm in releasing the record. Finally, these recommendations are reviewed by the Chief Counsel to ensure compliance with the law and these requirements.

The USPTO has a tracking system for marking requests that involve discretionary release in its electronic FOIA tracking system. In other words, each time a request is completed, the program asks the user if a discretionary release was made. It does not, however, have an automatic trigger for identifying records that could be discretionarily released. Instead, the FOIA professionals handling each request manually determine whether there are any records appropriate for discretionary release

9. During the reporting period, did your agency make any discretionary releases of information?

    The following bureaus reported discretionary disclosures of records that fell within the scope of a FOIA exemption: OS, Census, ITA, NIST, NOAA, NTIA, USPTO, and OIG.

    EDA, ESA, MBDA and NTIS reported no requests were received that involved discretionary release of information.

10. What exemption(s) would have covered the material released as a matter of discretion? For a discussion of the exemptions that allow for discretionary releases,

please see OIP's guidance on implementing the President's and Attorney General's FOIA Memoranda.

> **Discretionary releases have been made for information that would have been covered under FOIA Exemption 5, 5 U.S.C. § 552(b)(5).**

11.   Provide a narrative description, as well as some specific examples, of the types of information that your agency released as a matter of discretion during the reporting year.

> **The types of documents that were released are draft or pre-decisional documents in which the agency determined there would be minimal or no harm with public release.**
>
> **An example of the type of information the Census Bureau released as a matter of discretion is portions of emails that discussed preplanning of a risk assessment project for the 2020 Decennial.**
>
> **Examples of the types of information that the OIG released as a matter of discretion are certain draft documents, e-mail discussions, and investigative case notes (the portions not protected by privacy-related exemptions) that otherwise might have been subject to the deliberative process privilege.**
>
> **Examples of the types of information that the USPTO released as a matter of discretion are two comprehensive, strategic assessments that reviewed USPTO programs and were used to evaluate and improve those programs, and law squarely supports Exemption (b)(5) applicability to such strategic assessments, but after careful review, the USPTO opted to share these assessments with the interested requester in the spirit of transparency and to benefit the stakeholder public; and the USPTO released several deliberative emails and draft talking points that could have been withheld pursuant to Exemption (b)(5), which were responsive to several FOIA requests related to a high-profile trademarks decision.**

12.   If your agency was not able to make any discretionary releases of information, please explain why.

> **Not applicable.**

Other Initiatives:

13.   Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA? Efforts can include training for non-FOIA professionals, distributing memoranda on the FOIA, announcements on FOIA matters, etc.

Monthly FOIA Lunch and Learns for FOIA and Census Bureau staff covered topics such as: What Every Agency Should Know About FOIA, Helpful Hints to Program Areas for Processing FOIA Requests, An Overview of the FOIA Exemptions, and FOIA Requests for Title 13 Protected Records (A Discussion of How FOIA Exemption 3 Applies).

FOIA training for supervisors and managers allowed qualifying individuals to gain management credit for each hour of class attended. Those individuals have a mandatory requirement to attain a specific number of management credit hours per year. This was our inaugural year of offering classes about the FOIA to managers and supervisors, as follows:

- "Freedom of Information Act (FOIA) Requests for Title 13 Records," a class that provided an opportunity to supervisors and managers to become familiar with various FOIA laws and regulations, as they pertain to daily Census activities. As part of the class, the aforementioned individuals were taught the agency requirements to answer FOIA requests that may include Title 13 records. They were also taught the basic steps involved in fulfilling FOIA requests, how the FOIA office responds to requests that include Title 13 protected records, and the general rules every program area should know about the FOIA.

- "Master the Freedom of Information Act (FOIA) Series – Part 1," a class that provided an opportunity to supervisors and managers to become familiar with various FOIA laws and regulations, as they pertain to daily Census activities. As part of the class, he aforementioned individuals were taught the agency requirements to answer FOIA requests, how to prepare Fee Estimates, how to search for and retrieve responsive documents, how to handle and answer Privacy Act requests, the definition of proactive disclosure, the requirements for making a FOIA request, and the general rules every program area should know about the FOIA.

Distributed pamphlets that provide an overview of the FOIA, including how to search for responsive records, and how to provide information for a fee estimate.

"Manned" a FOIA program booth during the Census Bureau's Privacy Day event at which FOIA staff answered questions employees had about the FOIA. Staff also handed out information brochures about the FOIA.

NTIA FOIA professionals work with NTIA staff regarding their FOIA obligations. Each request for fee estimate or search includes detailed instructions regarding how to conduct a proper fee estimate or search. On a case by case basis, FOIA training materials are provided to new staff or those that are seeking particular information regarding their FOIA obligations.

Monthly FOIA presentations are provided at new employee orientation. The Department's FOIA staff educates the program offices as part of the tasking and fulfillment of each FOIA request.

The ITA FOIA Officer conducted several private training sessions with non-FOIA professionals. In addition, FOIA topics were presented in various non-FOIA training sessions by OGC and the ITA business unit of Global Markets.

BIS FOIA Officer provides on the job training to non-FOIA professionals, as well as, distributes FOIA information and announces FOIA related matters to all staff.

FOIA training materials are available to USPTO employees on the USPTO intranet at: http://ptoweb.uspto.gov/ptointranet/ogc/foiaservice.htm.

The OIG FOIA Officer held a 45-minute training on FOIA and issues of interest to employees in the OIG's Office of Investigations. In addition, the OIG FOIA Officer regularly notifies the OIG Front Office and other OIG employees about notable requests and significant developments in FOIA. Furthermore, any search or fee estimate requests sent to non-FOIA professionals clearly state their obligations under the FOIA.

14. If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here. If any of these initiatives are online, please provide links in your description.

When tasking SMEs to review responsive records, ITA attaches the President's FOIA Memorandum and/or the Attorney General's FOIA Guidance as reminder of the presumption of openness.

To ensure that the presumption of openness is appropriately applied in processing FOIA requests, the OIG approaches each FOIA request with a view toward discretionary disclosure where appropriate. The OIG also makes it a practice to make partial disclosures of documents when full disclosure is not possible under the terms of FOIA.

The USPTO FOIA Office always highlights the presumption of openness in its training materials and training presentations for Business Units and individual employees.

All FOIA search certification memoranda include a foreseeable harm statement, which must be signed by the senior official in the responsible office.

NTIA is proactive in posting grant agreement documents and other documents such as reports, agreement and contract documents, filings, press releases, and testimony on its website. For example, this year NTIA continued posting grant agreement documents for its State and Local Implementation Grant Program (SLIGP) grant program. These grant award documents for each state are available at: http://www.ntia.doc.gov/sligp/sligp-awards.

The USPTO continues to proactively release frequently requested records and other records of interest such as government contracts (following review by submitters), notices of suit, judicial decisions of interest, and data points related to patents and trademarks. Available at: http://www.uspto.gov/ip/boards/foia_rr/index.jsp. The USPTO also is in the process of preparing FOIA request logs for the past several years to post in its E-FOIA Reading Room. Finally, the USPTO FOIA Office always highlights the presumption of openness in its training materials and training presentations for Business Units and individual employees.

Outside the context of FOIA, the OIG has a formalized process to ensure that OIG audit and certain investigative reports and correspondence undergo a public release review process to allow these OIG work products to be public released and posted on the OIG website; this process ensures that the presumption of openness is applied.

Section II: Steps Taken to Ensure that Your Agency has an Effective System in Place for Responding to Requests

As the Attorney General emphasized in his FOIA Guidelines, "[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests." It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that your management of your FOIA program is effective and efficient. You should also include any additional information that that describes your agency's efforts in this area.

Personnel:

1.   In the 2014 Chief FOIA Officer Report Guidelines, OIP asked agencies about the status of converting all eligible FOIA professionals to the new Government Information Series. If your agency reported that its staff was eligible for conversion but had not yet converted all professionals to the new series, what is the current proportion of personnel that have been converted?

        The FOIA Officers worked with their respective Human Resources Division to identify which FOIA professional positions should be appropriately converted to the new job series. NOAA identified and converted one position in FY2015. Census

and OS will be converting appropriately identified positions in FY2015. Thus far, 1% of FOIA professional positions have been converted.

2.   If your agency has not converted all of its eligible employees yet, what is your plan to ensure that all FOIA professionals' position descriptions are converted?

ITA is in the process of reviewing FOIA professional positions to determine suitability for conversion to the new job series.

Processing Procedures:

3.   For Fiscal Year 2014, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2014 Annual FOIA Report. Please note here if your agency did not adjudicate any requests for expedited processing during Fiscal Year 2014.

Agency overall average: 17

4.   If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

All bureaus of the Department of Commerce (with the exception of the U.S. Patent and Trademark Office) adopted FOIAonline. FOIAonline allows participating agencies to easily and accurately task consultations to other participating agencies. This greatly reduces the time it takes to create a consultation or referral package and insure accuracy of the information be transferred. Although FOIAonline does not eliminate the need for consultations and referrals, it does accelerate the administrative process. For agencies outside of FOIAonline system, correspondence is sent via email or secure file transfer to consult or refer documents. The USPTO has not encountered any frequent consultations and referrals that would necessitate this type of agreement with any other agency.

5.   If your agency has a decentralized FOIA process, has your agency taken steps to make the routing of misdirected requests within your agency more efficient? If so, please describe those steps.

All FOIA requests are promptly reviewed upon receipt by the receiving FOIA Office to determine whether the appropriate component within the agency received the request. If the request is misdirected, the receiving FOIA office routes the misdirected request to the proper FOIA office within the agency within ten working days.

6.   If your agency is already handling the routing of misdirected requests in an efficient manner, please note that here and describe your process for these requests.

     Routing of misdirected requests received in the Department of Commerce are handled in an efficient manner. Department of Commerce FOIA professionals work closely with other Operating Units' FOIA Officers as needed to insure that misdirected requests are assigned to the proper lead Operating Unit.

Requester Services:

7.   Does your agency notify requesters of the mediation services offered by the Office of Government Information Services (OGIS) at the National Archives and Records Administration? *See OIP Guidance*, "Notifying Requesters of the Mediation Services Offered by OGIS." (July 9, 2010)

     Yes. The Department of Commerce notifies requesters of the mediation services offered by OGIS.

8.   When assessing fees, does your agency provide a breakdown of how FOIA fees were calculated and assessed to the FOIA requester? For example, does your agency explain the amount of fees attributable to search, review, and duplication? *See OIP Guidance,* "The Importance of Good Communication with FOIA Requesters 2.0: Improving Both the Means and the Content of Requester Communications." (Nov. 22, 2013)

     Yes. The Department of Commerce provides detailed breakdown of fees.

9.   If estimated fees estimates are particularly high, does your agency provide an explanation for the estimate to the requester? *See id.*

     Yes. The Department of Commerce attempts to give requesters the most information for them to constructively reduce the scope of their request. In our notices of fees over the value that the requester is willing to pay or $250.00, whichever is lower, we request phone conversations to possibly help narrow the scope of the request. We go over the types of records that the fee estimate covers and to see if some records that may be responsive are even of interest to the requester. This process often reduces the time the requester waits for the request to be fulfilled and the amount of resources needed process the request.

Other Initiatives:

10.   If there are any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as conducting self-assessments to find greater efficiencies, improving search processes, eliminating redundancy, etc., please describe them here.

Census Bureau FOIA supervisors and managers conduct FOIA case audits on all completed FOIA cases. The audits are used to ensure FOIA professionals are following established FOIA laws, regulations, policies, and procedures. FOIA managers and staff also continually review established FOIA business processes to determine where changes, if any, can or need to be made to help its FOIA program run more efficiently and effectively. Processes are then updated, when required.

The Office of Chief Counsel, which oversees FOIA processing for NTIA, meets quarterly to assess the current status of all pending FOIAs, make assignments to staff to complete older complex FOIAs, and discuss ways to improve FOIA processing. NTIA FOIA personnel have developed a new fillable PDF form for fee estimates and search requests that is provided to agency staff via email with each new request. This electronic process provides a more efficient processing for fee estimates and search requests especially when searches are across multiple offices.

Moreover, NTIA has reached agreement with major units of the Department of Commerce, including the Office of the Secretary, International Trade Administration, and the National Institute of Standards and Technology, for streamlining consultations. Without prior consultation with these units, this process allows NTIA to release materials that originated with those bureaus and contains only non-substantive content that does not qualify for any of the FOIA exemptions. Examples of these materials are emails from these units that solely contain simple acknowledging phrases such as "Yes", "No", or "Thank you." NTIA personnel are utilizing Adobe to de-duplicate FOIA records by combining the records and searching for duplications for certain complex requests. In some cases, this tool saves both processing time and costs.

The OIG FOIA Officer has moved to processing, whenever possible, FOIA requests electronically, including sending correspondence via e-mail. Search taskers and fee estimate taskers are sent to OIG offices electronically and completed forms and records are routinely returned in the same fashion, improving efficiency and conserving resources. When an individual is very likely to have responsive documents, the search request is sent directly to the individual (with notification to the office FOIA search point of contact) to expedite search and allow for the individual to directly interact with the FOIA Officer regarding any questions

Section III: Steps Taken to Increase Proactive Disclosures

Both the President and Attorney General focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

Posting Material:

1. Does your agency have a distinct process or system in place to identify records for proactive disclosure? If so, please describe your agency's process or system?

    Yes. The Department of Commerce identifies those records that are likely of interest to the public and its constituents such as grant documents, reports, etc. and posts those using either a blog and/or on its individual bureau main web pages and by topic for ease of access. FOIA Officers work with program offices, office of public affairs and the webmaster to ensure that records from the programs are routinely made available on the Department's website.

    The Department of Commerce also uses FOIAonline to both identify and make available records for proactive disclosure. The ways that FOIA professionals use the system to assist them include: reviewing responses to requests to determine if material disclosed may be of use to other requesters and discussing how to make responsive records available through the FOIAonline system, which is available to the public. Through the FOIAonline system, individuals can access posted FOIA requests and agency responses to those requests. Those responses include disclosed responsive records

2. Does your process or system involve any collaboration with agency staff outside the FOIA office? If so, describe this interaction.

    Yes, see above.

3. Describe your agency's process or system for identifying "frequently requested" records that should be posted online.

    The Department of Commerce reviews those records which are requested to determine if any meet the requirements, beyond those already posted, to be posted on its website. If certain types of records are requested three or more time, those records are identified as "frequently requested."

4. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

    BIS posts all finalized export violations as well as all antiboycott violations to the public website. http://efoia.bis.doc.gov/index.php/electronic-foia/index-of-documents.

    The Census Bureau has posted includes statistics at http://www.census.gov/topics.html. *Census Bureau* statistics are now organized by themes, or topics, making it easier for individuals to find what they need. Topics include: business; economy, education; employment; family and living

arrangements; health; housing; income and poverty; international trade; population; and public sector. Census has also posted **Congressional Correspondence Logs**; **Data Stewardship Policies**; and **Custom Tabulations**.

ITA has posted includes the Tariff Tool system that consolidates and distills thousands of pages of U.S. Free Trade Agreement (FTA) tariff commitments down into a simple, online database. Initially, the Tariff Tool included data only for non-agricultural products. With those enhancements, the FTA Tariff Tool includes data for all products covered under U.S. FTAs. The link for the FTA Tariff Tool is located at **http://export.gov/fta/ftatarifftool/ftamain.aspx**.

NTIA provides a large amount of documentation on its website regarding its highly visible programs such as the Broadband Technology Opportunities Program (BTOP). NTIA posts regular updates to project amendments, letters, environmental documentation, quarterly reports, ARRA reports, filings, meeting minutes. See http://www2.ntia.doc.gov/.

NTIA also regularly posts all filings, reports, speeches, testimony, etc. See http://www.ntia.doc.gov/publications. In addition, NTIA provides live streaming of certain high profile meetings and also archives those video streams on its website, along with meeting agendas and presentations. See e.g., Privacy Multistakeholder Process: Facial Recognition Technology available at: **http://www.ntia.doc.gov/other-publication/2014/privacy-multistakeholder-process-facial-recognition-technology**. For another example, NTIA continued posting grant agreement documents for its State and Local Implementation Grant Program (SLIGP) grant program. These grant award documents for each state are available at: http://www.ntia.doc.gov/sligp/sligp-awards.

NIST has posted datasets, videos, photos, and computer simulated models at **http://wtcdata.nist.gov/**. NIST news: **http://www.nist.gov/allnews.cfm**. Documents related to both the development of NIST Special Publication 800-90A and to a related standard developed by the Accredited Standards Committee X9, ANS X9.82 Part 3 are posted at **http://csrc.nist.gov/groups/ST/crypto-review/review_materials.html**. Joplin Reporting is posted at **http://www.nist.gov/el/building_materials/joplin-032614.cfm**.

The OIG has proactively disclosed Semi-annual reports to Congress, audit, inspection, evaluation, and public investigative reports, the OIG top management challenges report on issues facing the Department, congressional testimony, and information on current and planned activities, posted at

http://www.oig.doc.gov/Pages/default.aspx. In addition, the OIG has proactively disclosed frequently requested records under FOIA. These records can be found at **http://www.oig.doc.gov/Pages/FOIA-Electronic-Reading-Room.aspx**.

The USPTO FOIA Reading Room was updated in FY 2014 to include all new Patent Trial and Appeal Board decisions (current to date), new Trademark Trial and Appeal Board decisions (current to date), new final disciplinary actions by the Office of Enrollment and Discipline (current to date), new notices of suit filed with U.S. District Courts (current to date), and new intellectual property judicial decisions of interest. Available at: http://www.uspto.gov/ip/boards/foia_rr/index.jsp.

Other Initiatives

5.   If there are any other steps your agency has taken to increase proactive disclosures, please describe them here.

The Census Bureau is accessing data through products and tools including data visualizations, mobile apps, interactive web apps and other software at http://www.census.gov/data.html.

The USPTO FOIA Office continues to monitor and examine the nature of FOIA requests received each year on an ongoing basis to determine if and whether it has repeat requests or popular categories that are not already addressed in the FOIA Reading Room. In addition, the USPTO's FOIA Reading Room contains document repositories that are fully text-searchable so that the public can quickly access the records that are proactively disclosed.

The Department of Commerce Open Government team has taken the lead in identifying new ways to make more information publicly available.

Section IV: Steps Taken to Greater Utilize Technology

A key component of the President's FOIA Memorandum was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that that describes your agency's efforts in this area.

*Online Tracking of FOIA Requests and Appeals***:**

1.   Can a member of the public track the status of his or her request or appeal electronically?

Yes. The Department of Commerce has a system that allows a member of the public to track his or her request or appeal electronically.

2.   If yes, how is this tracking feature provided to the public? For example, is it being done through the regular posting of status logs, an online portal, or through another medium?

For USPTO, requesters can click the link "Check FOIA Request Status" on the USPTO FOIA webpage to search for specific requests and see the status: https://foia.uspto.gov/palMain.aspx.

For all other bureaus of the Department, a requester can track the status of their request by going to FOIAonline, which is located at: https://foiaonline.regulations.gov/foia/action/public/home.

3.   If your agency does provide online tracking, please describe the information that is provided to the requester through this feature. For example, some online tracking features may tell the requester whether the request is "open" or "closed," while others will provide further details throughout the course of the processing, such as "search commenced" or "documents currently in review."

For USPTO, the requester can see the stage of their request, which may be any of the following: Received; Assigned for Processing; On Hold-Need Info/Clarification; In Process; Cost Estimate Sent; Completed; or Closed. The requester also sees a key to explain what each of these statuses means.

If requesters submit through FOIAonline, they will know where in the course of processing their requests stand through notifications. The requesters will be notified when they submit their request, when it is being evaluated (scope, fee waiver, expedited processing issues), assigned, processed, and finally closed.

4.   If your agency does provide online tracking for requesters, does this feature also provide an estimated date of completion?

For USPTO, the online tracking system does not provide the requester with an estimated date of completion. However, the requester does receive an estimated date of completion in the acknowledgement letter that goes out within 1 to 2 business days of receiving a request.

In FOIAonline each requester is provided with an automated date based on the statutory deadline, and not an estimated date of completion.

5.   If your agency does not provide online tracking of requests or appeals, is your agency taking steps to establish this capability? If not, please explain why?

Not applicable.

*Making Material Posted Online More Useful***:**

6.   Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website? Steps can include soliciting feedback on the content and presentation of posted material, improving search capabilities on your agency website, posting material in open formats, making information available through mobile applications, providing explanatory material, etc.

Yes.

7.   If yes, please provide examples of such improvements. If your agency is already posting material in its most useful format, please describe these efforts.

One way that many Americans interact with Census Bureau data is through our website. This year, we redesigned Census.gov to make it easier for individuals to find what they need. We found that our customers wanted to browse information by topic, so we updated the site's navigational features. We also released new interactive data tools, like the revised Population Clock and Census Flows Mapper. One particularly exciting change is the improved search function — users now can search population, poverty and income for a desired location and get statistics within the search results. Whether customers are looking for quick facts or detailed information for their communities, we have a tool for them to find the information they need. And, even more improvements are on the way. The improved search function is one example of a feature that is possible because of our Open API — a set of programming instructions and standards for accessing data. We launched the API in 2012 to give developers access to high-value data sets from our surveys and other key economic indicators, and we are continually adding new data sets. The API delivers easy access to our data and allows developers to combine it with other sources to create tools that benefit the public. For example, My Congressional District, a tool on census.gov, provides users with statistics about congressional districts by pulling data from the Census Bureau's API. We are continuing to solicit feedback from developers to improve the API and often attend local meet ups and hold internal codeathons to generate ideas. As the authoritative source for legal and statistical geographic boundaries in the U.S, our Topologically Integrated Geographic Encoding and Referencing (TIGER) suite of products provides another example of how we are innovating to disseminate data. TIGER is a digital geographic database that automates the mapping and related geographic activities required to support the Census Bureau's census and survey programs. We recently launched TIGERweb, a set of APIs, services and a Web application for disseminating and visualizing geospatial data. TIGERweb allows our customers to easily use Web map services directly in their applications and contains scores of detailed geographic layer data. Through these and other innovative tools, the Census Bureau continues to lead the way in Open Government goals and objectives. We have also held recent webcasts that allow the public to learn first-hand how and

why we collect data. We are committed to developing more and better ways to make data and other information accessible to our diverse range of customers, anytime, anywhere, and on any device.

NTIA has revised its website design to, among other things, highlight topics of public interest for ease of access to agency information. This is accomplished on a dynamic basis where new items of interest arise. Those items are highlighted in a rotating box towards the top of the page, for example. The agency also receives feedback through its website regarding content posted. NTIA also continues to fine tune the website format to make it easier to find information on its website.

The USPTO FOIA Reading Room provides several options to submit feedback and/or report any problems in an effort to maintain efficiency and utility. The Reading Room has a link to the general USPTO Contact Center as well as a dedicated "webmaster" e-mail address for submitting comments or concerns. In the past, the webmaster has been extremely expedient in letting the FOIA Office know when a member of the public has submitted a comment or is having trouble accessing records. The FOIA team works directly with the Office of General Law IT staff to alleviate the problem or address the suggestion. In addition, an e-mail address and phone number for the USPTO FOIA Office are provided on the website and the FOIA Officer may be reached directly for any questions or concerns. The USPTO FOIA Officer routinely responds to questions from members of the public related to accessing Agency records. The USPTO also provides several resources related to both understanding the FOIA and accessing other publicly available patent/trademark information.

When documents are published in the FOIAonline system, ITA assigns key words to the documents. By doing this, the public is able to search FOIAonline and find information that is already publicly available easier.

8.   Have your agency's FOIA professionals interacted with other agency staff (such as technology specialists or public affairs or communications professionals) in order to identify if there are any new ways to post agency information online?

Yes, the FOIA Officers regularly communicate with public affairs/communications professionals as well as the Office of Chief Information Officer to determine whether there are new ways to post agency information online. At this time, FOIAonline is the FOIA professionals' medium for posting relevant FOIA information.

9.   Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If yes, please describe those efforts.

Yes. The Department of Commerce uses venues such as news releases and social media to highlight proactive disclosures for public awareness.

NTIA regularly utilizes a blog to highlight policy positions or release of important statements or reports or other important announcements. For example, on December 23, 2014, NTIA highlighted its work with states to plan for the building of a nationwide public safety network. Included in this blog is a link to a page that includes presentations, past webinars, workshop agendas, and best practice documents as a proactive disclosure of this information. See NTIA Grant Program Ensuring States are Planning for FirstNet, available at: http://www.ntia.doc.gov/blog/2014/ntia-grant-program-ensuring-states-are-planning-firstnet.

10.   Has your agency encountered challenges that make it difficult to post records you otherwise would like to post?

        No.

11.   If so, please briefly explain what those challenges are.

        Not Applicable.

Use of Technology to Facilitate Processing of Requests:

12.   Beyond using technology to redact documents, is your agency taking steps to utilize more advanced technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents? If yes, describe the technological improvements being made.

        The Department of Commerce FOIA professionals use FOIAonline to facilitate overall FOIA efficiency. FOIAonline is an electronic tracking and processing tool developed by a partnership of federal agencies that allows anyone to submit a FOIA request, correspond with FOIA professionals processing the request, track the status of a request, and download the responsive documents once they are released to the requester.

        Some FOIA professionals are using Adobe to de-duplicate documents when appropriate in processing certain complex FOIAs. The Department of Commerce also utilizes a Secure File Transfer system to share large quantities of documents for entity B4 review and for agency consultation and referral to speed receipt and transfer.

13.   Are there additional tools that could be utilized by your agency to create further efficiencies?

The Department of Commerce will continue to explore the software and other web or electronic tools available to improve processing and shorten response times as permitted by budget and other resources.

Other Initiatives:

14.   Did your agency successfully post all four quarterly reports for Fiscal Year 2014? Please see OIP's guidance for posting of quarterly reports to ensure that your agency is following all required steps (including using the correct file type and URL structure) so that your quarterly reports are properly appearing on FOIA.gov. (If your reports are posted to your website, but not appearing of FOIA.gov, please contact OIP in order to resolve the issue.)

    Yes, all four quarterly reports for Fiscal Year 2014 have been posted at:
    http://www.osec.doc.gov/omo/foia/ereadingroom.htm.

15.   If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2015.

    Technical difficulties prevented the reports from appearing on FOIA.gov. We are currently working with our IT specialists to resolve this issue.

16.   Do your agency's FOIA professionals use e-mail or other electronic means to communicate with requesters whenever feasible? *See OIP Guidance,* "The Importance of Good Communication with FOIA Requesters 2.0: Improving Both the Means and the Content of Requester Communications." (Nov. 22, 2013)   If yes, what are the different types of electronic means are utilized by your agency to communicate with requesters?

    Yes. The Department of Commerce uses email and FOIA online to communicate electronically with all requesters who accept this type of communication.

17.   If your agency does not communicate electronically with requesters as a default, are there any limitations or restrictions for the use of such means? If yes, does your agency inform requesters about such limitations? *See id.*

    Not Applicable.

Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs

The President and the Attorney General have emphasized the importance of improving timeliness in responding to requests. This section your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest

requests, appeals, and consultations. *For the figures required in this Section, please use the numbers contained in the specified sections of your agency's 2014 Annual FOIA Report and, when applicable, your agency's 2013 Annual FOIA Report.*

Simple Track: Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

1.   Does your agency utilize a separate track for simple requests?

        Yes.

2.   If so, for your agency overall in Fiscal Year 2014, was the average number of days to process simple requests twenty working days or fewer?

        Yes, for the agency overall the average number of days to process simple requests was 8 days.

3.   Please provide the percentage of requests processed by your agency in Fiscal Year 2014 that were placed in your simple track.

        55% of the agency overall processed requests were placed in the simple track.

4.   If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

        Not applicable.

Backlogs: Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal year. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2013 and Fiscal Year 2014 when completing this section of your Chief FOIA Officer Report.

BACKLOGGED REQUESTS

5.   If your agency had a backlog of requests at the close of Fiscal Year 2014, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2013?
        - If not, explain why and describe the causes that contributed to your agency not being able reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:
            o An increase in the number of incoming requests

       o   A loss of staff

       o   An increase in the complexity of the requests received

The Department of Commerce's overall backlog of requests at the close of Fiscal Year 2014 increased compared with the backlog reported at the end of Fiscal Year 2013. The backlog of requests at the end of Fiscal Year 2013 was 246 and the backlog of requests at the end of Fiscal Year 2014 was 362. The Department had an increase number of complex and large requests that require a large amount of time to insure that protected information is consistently protected throughout the hundreds of responsive pages; and many requests include a large number of records that are out on consultation with other agencies that are still under review due to the complexity of the subject matter and the agencies involved. One component had to devote extensive FOIA resources to a very large appeal. Two components had a loss of staff.

6.   If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests *received* by your agency in Fiscal Year 2014. To calculate your agency's percentage, you must divide the number of backlogged requests reported in Section XII.A. of your Fiscal Year 2014 Annual FOIA Report by the number of requests received in Fiscal Year 2014, which can be found in Section V.A. of your Annual FOIA Report. Once divided, you can multiply that number by 100 to get the percentage.

       19% of requests make up the backlog out of the total number of requests received by the Department of Commerce in Fiscal Year 2014.

BACKLOGGED APPEALS

7.   If your agency had a backlog of appeals at the close of Fiscal Year 2014, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2013?

     • If not, explain why and describe the causes that contributed to your agency not being able reduce backlog. When doing so, please also indicate if any of the following were contributing factors:

       o   An increase in the number of incoming appeal

       o   A loss of staff

       o   An increase in the complexity of the appeals received

The Department of Commerce's overall backlog of appeals at the close of Fiscal Year 2014 increased compared with the backlog reported at the end of Fiscal Year 2013. The backlog of appeals at the end of Fiscal Year 2013 was 34 and the backlog of appeals at the end of Fiscal Year 2014 was 35.

8.   If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2014. If your agency did not receive any appeals in Fiscal Year 2014 and/or has no appeal

backlog, please answer with "N/A." To calculate your agency's percentage, you must divide the number of backlogged appeals reported in Section XII.A. of your Fiscal Year 2014 Annual FOIA Report by the number of appeals received in Fiscal Year 2014, which can be found in Section V.A. of your Annual FOIA Report. Once divided, you can multiply that number by 100 to get the percentage.

51% of appeals make up the appeal backlog out of the total number of appeals received by the Department of Commerce in Fiscal Year 2014.

Backlog Reduction Plans:

9.   In the 2014 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2013 was asked to provide a plan for achieving backlog reduction in the year ahead. Did you agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2014?

        Not applicable.

10.   If your agency had a backlog of more than 1,000 requests in Fiscal Year 2014, what is your agency's plan to reduce this backlog during Fiscal Year 2015?

        Not applicable.

Status of Ten Oldest Requests, Appeals, and Consultations: Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2013 and Fiscal Year 2014 when completing this section of your Chief FOIA Officer Report.

TEN OLDEST REQUESTS

11.   In Fiscal Year 2014, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2013 Annual FOIA Report?

        No.

12.   If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2013 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that. For example, if you only had seven requests listed as part of your "ten oldest" in Section VII.E. and you closed six of them, you should note that you closed six out of seven "oldest" requests.

The Department of Commerce closed three of the ten oldest agency overall requests that were reported pending in Fiscal Year 2013 Annual FOIA Report.

13. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?

    None of the three requests from the ten oldest agency overall requests were closed because the request was withdrawn by the requester.

TEN OLDEST APPEALS

14. In Fiscal Year 2014, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2013 Annual FOIA Report?

    No.

15. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2013 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that. For example, if you only had seven appeals listed as part of your "ten oldest" in Section VII.C.(5) and you closed six of them, you should note that you closed six out of seven "oldest" appeals.

    The Department of Commerce closed nine of the ten oldest agency overall appeals that were reported pending in Fiscal Year 2013 Annual FOIA Report.

TEN OLDEST CONSULTATIONS

16. In Fiscal Year 2014, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2013 Annual FOIA Report?

    No.

17. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2013 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that. For example, if you only had seven consultations listed as part of your "ten oldest" in Section XII.C. and you closed six of them, you should note that you closed six out of seven "oldest" consultations.

The Department of Commerce had seven pending consultations from Fiscal Year 2013 and of those three were closed in Fiscal Year 2014.

Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans:

18.   Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2013.

   For requests, the obstacles in closing the remaining ten requests, are the requests are complex and the documents are voluminous. In addition, these requests require extensive outside submitter notification.

   For consultations, the obstacle in closing the remaining oldest consultations is several separate operating units are required to review the consultations for disclosure determinations.

   For appeals, the obstacle in closing the remaining oldest appeal, is the underlying requester seeks a database containing over 25,000 case files. We have recently worked with the requester to narrow the scope of the request and hope to complete this appeal in Fiscal Year 2015.

19.   If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

   Not applicable.

20.   If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those "ten oldest" requests, appeals, and consultations during Fiscal Year 2015.

   For requests: additional staffing will assist with voluminous documents and submitter notifications.

   For consultations: frequent follow-ups and status updates with offices conducting consultation reviews to speed the consultation process.

   For appeals: staff is working with the requester to narrow the scope of the request.

Interim Responses:

21. Does your agency have a system in place to provide interim responses to requesters when appropriate? *See OIP Guidance*, "The Importance of Good Communication with FOIA Requesters." (Mar. 1, 2010)

   Yes.

22. If your agency had a backlog in Fiscal Year 2014, please provide an estimate of the number or percentage of cases in the backlog where a substantive, interim response was provided during the fiscal year, even though the request was not finally closed.

   Approximately 35%.

Use of the FOIA's Law Enforcement Exclusions

Did your agency invoke a statutory exclusion, 5 U.S.C. § 552(c)(1), (2), (3), during Fiscal Year 2014? If so, please provide the total number of times exclusions were invoked.

   No, the Department of Commerce did not invoke a statutory exclusion during Fiscal Year 2014.

Success Story

Out of all the activities undertaken by your agency since March 2014 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency's efforts. The success story can come from any one of the five key areas. As noted above, these agency success stories will be highlighted during Sunshine Week by OIP. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.

   The Census Bureau continues to demonstrate its commitment to the principles of Open Government. In 2014, we re-designed census.gov, allowing customers to use the "smart search" feature to more easily find key statistics such as income, poverty, health and population for U.S. locations directly on our search page. Our revamped QuickFacts site has fully interactive, customized tables that let users compare statistics for up to six locations side by side, and to share those statistics in social media. Additionally, interactive data tools such as the Population Clock, Census Flows Mapper, My Congressional District, and Easy Stats on our website allow us to actively engage our customers.

Over the past year, our open **application programming interface** (API) has increased the accessibility and usability of our data. The API gives developers quick and easy access to a pool of publicly available data, allowing them to create Web or mobile apps. Our **three mobile apps, America's Economy, dwellr, and Census PoP Quiz make our data accessible to an even wider audience. America's Economy** provides real-time updates of 20 key economic indicators, making it easy for casual or serious followers of the U.S. economy to see the latest trends. Our two other tools, **dwellr** (an app that helps users discover cities and towns that fit their lifestyle) and **Census PoP Quiz** (a population challenge quiz), tap into statistical information from the **American Community Survey** for casual data users. We are continuing to solicit feedback from developers to improve the API for our customers and often hold internal codeathons to generate new ideas.

As evident in this report, the Census Bureau has developed several initiatives aimed at making our data more accessible to our customers than ever. Ultimately, making data more accessible to the public is a critical component of the Freedom of Information Act (FOIA), as well as the Open Government Act.

Finally, since we submitted our last Chief FOIA Officer Report, the Census Bureau has changed the name of its Freedom of Information Act Branch to the Freedom of Information Act and Open Government Office. The name change demonstrates our commitment to leading the way in Open Government goals and objectives.