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Description of document: US Department of Commerce records provided to Chairman Darrell Issa, House Oversight and Government Reform Committee, concerning the administration of the Freedom of Information Act (FOIA), 2011

Requested: 10-December-2011

Released date: 19-March-2012

Posted date: 09-April-2012

Source of document: Assistant Secretary for Administration (ASA)
Departmental Freedom of Information Officer
Office of Privacy and Open Government
14th and Constitution Avenue NW
Mail Stop H6204
Washington, DC 20230
Fax: 202-482-0827
Email: EFoia@doc.gov

Note: This is one of several files on the same subject for various agencies available on governmentattic.org. See: <http://www.governmentattic.org/5docs/chairmanIssa.htm>

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UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer
Assistant Secretary for Administration
Washington, D.C. 20230

March 19, 2012

RE: Freedom of Information Act Request CRRIF 2012-00079

This is in final response to your Freedom of Information Act request dated, December 10, 2011 requesting 1) an electronic copy of the records provided to the Honorable Chairman Darrell Issa, who had in January 2011 asked your agency for various data concerning the administration of the Freedom of Information Act. 2) a copy of any correspondence whatsoever sent to Chariman Issa's office on the subject of the January 2011 inquiry, and any correspondence sent to Chairman Issa's office on the subject of FOIA.

We are enclosing all responsive documents and we are releasing them to you in entirety.

Sincerely,

A handwritten signature in black ink that reads "Bobbie Parsons".

Bobbie Parsons
FOIA Officer
Immediate Office of the Secretary
Office of Privacy & Open Government

Enclosures



UNITED STATES DEPARTMENT OF COMMERCE
Assistant Secretary for Legislative
and Intergovernmental Affairs
Washington, D.C. 20230

May 12, 2011

The Honorable Darrell E. Issa
Chairman
Committee on Oversight and Government Reform
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Issa:

Thank you for your letter of January 25, 2011, to Brenda Dolan, the Departmental Freedom of Information & Privacy Act Officer, and Jean Carter-Johnson, the NOAA Freedom of Information & Privacy Act Officer, requesting information regarding the Department of Commerce's Freedom of Information Act (FOIA) policies and procedures. I am responding on behalf of the Department of Commerce.

On his first full day in office, President Obama set forth a broad policy indicating that open government would be a central tenet of his administration, committing executive agencies to an "unprecedented level of openness in government." *Transparency and Open Government Memorandum for the Heads of Executive Departments and Agencies*, 74 Red. Reg. 4685 (Jan. 21, 2009). This commitment was furthered through Attorney General Holder's March 2009 guidance memorandum, which articulated specific Open Government policies to increase the flow of information from executive departments and agencies to the public. The Department of Commerce (Department) has embraced these policies and has made them central to its focus on Open Government.

The Department remains dedicated to continuing to proactively provide comprehensive and high-quality information to the public. Departmental management takes this Administration's commitment to transparency seriously – ensuring that employees are trained in FOIA and Open Government best practices. In recent years, the Department has made important strides in improving our FOIA and Open Government programs—strides we will continue in FY 2011 and 2012.

The Department has also taken advantage of resources such as Data.gov, Recovery.gov, and the Federal IT Dashboard in support of its Open Government goals. Each of the twelve bureaus has assigned an Open Government Senior Leader to assist in this collaborative effort. Like other agencies, the Department has published a robust plan that explains our Open

Department needs additional time to process a request, FOIA officials attempt to contact the requester to obtain a voluntary extension. When records are voluminous, we routinely provide records to requesters on a rolling basis. The Department's customer-oriented approach has helped to reduce litigation and frustration within the requester community.

For the period between FY 2006 through FY 2010, the Department received an average of 1,988 FOIA requests per year. In FY 2010, the number of FOIA requests slightly increased from the previous four years. The Department and its bureaus continue to reduce the backlog for both initial FOIA requests and FOIA appeals. In FY 2009 we had our largest reduction in the backlog of FOIA appeals, reducing it from 87 to 60. The Department has experienced a slight increase in the backlog of FOIA appeals during FY 2010 (14 more appeals in FY 2010 than received in FY 2009). During FY 2011, we have continued to ensure that the proper resources and attention are dedicated to the FOIA program in order to resolve delays and take steps to minimize the backlog.

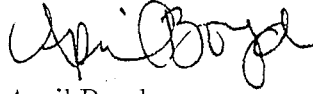
Additionally, in accordance with FOIA statutory requirements, the Department makes information available both to the Department of Justice and to the public in the form of annual reports. These reports describe the Department's FOIA management structure as well and provide instructions on the process of filing a FOIA request. The reports also detail the volume of FOIA requests, appeals, the frequency with which each exemption is used, and other statistics related to the Department's FOIA program. Past reports are available on the Department's website at <http://open.commerce.gov/freedom-information-act>.

In addition to our FOIA process, the Department of Commerce continues our commitment to Open Government by making information freely available to the public. For example, the U.S. Census Bureau, the National Oceanic and Atmospheric Administration, and the National Institute of Standards and Technology each present an array of information to the public in easily accessible electronic formats. These efforts, which take place outside the realm of FOIA requests, demonstrate the Department's dedication to making information created on behalf of the public available to the public.

The Department has taken a similarly proactive approach to using both existing and new tools such as social media and web collaboration to enhance our ability to provide information about our business operations and programs to the public. The following table provides a snapshot of the data that the Department makes available on Data.gov. We have published a significant number of these datasets in raw format, which is often more valuable to researchers, academics, and developers – formats previously unavailable to these constituencies. We will continue to produce new datasets and convert existing ones that developers and other members of the public find most useful. Since this dynamic information continuously evolves, the most current values for the table below can be found at <http://data.gov/metric>.

Thank you for your interest in our FOIA and Open Government programs. Should you have any further questions, please contact me at (202) 482-3663.

Sincerely,

A handwritten signature in black ink, appearing to read "April Boyd". The signature is fluid and cursive, with the first name "April" and last name "Boyd" clearly distinguishable.

April Boyd

Assistant Secretary for Legislative
and Intergovernmental Affairs



UNITED STATES DEPARTMENT OF COMMERCE
Assistant Secretary for Legislative
and Intergovernmental Affairs
Washington, D.C. 20230

May 12, 2011

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Chairman
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April Boyd

Assistant Secretary for Legislative
and Intergovernmental Affairs

Wright, Jonathan

From: Wright, Jonathan
Sent: Thursday, May 26, 2011 8:18 PM
To: 'tegan.millspaw@mail.house.gov'
Subject: RE: Department of Commerce response to Chairman Issa's inquiries on FOIA

Tegan –

Thanks for speaking with me today. I was mistaken when I told you that our Departmental logs were by maintained by calendar year. They are actually kept by fiscal year (Oct. 1 – Sept. 30). As we discussed, we are working to produce un-redacted copies of the logs from FY 2006 to the date of the letter, and will provide them to the Committee as soon as possible.

Thank you,

Jon Wright

From: Wright, Jonathan
Sent: Wednesday, May 25, 2011 5:48 PM
To: 'tegan.millspaw@mail.house.gov'
Subject: RE: Department of Commerce response to Chairman Issa's inquiries on FOIA

Tegan – We are looking into your inquiry now and will get back to you this week.

From: Millspaw, Tegan [mailto:Tegan.Millspaw@mail.house.gov]
Sent: Monday, May 16, 2011 4:23 PM
To: Wright, Jonathan
Subject: RE: Department of Commerce response to Chairman Issa's inquiries on FOIA

Dear Mr. Wright,

Thank you for your response. I have received the letter. Will the department be providing FOIA logs and responsive records to Chairman Issa's request?

Thank you,
Tegan Millspaw

Tegan N. Millspaw
Committee on Oversight & Government Reform
Darrell Issa, Chairman
350 Rayburn House Office Building
Washington, DC 20515

From: Wright, Jonathan [mailto:JWright@doc.gov]

3/5/2012

Wright, Jonathan

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Tegan Millspaw

Tegan N. Millspaw
Committee on Oversight & Government Reform
Darrell Issa, Chairman
350 Rayburn House Office Building
Washington, DC 20515

From: Wright, Jonathan [mailto:JWright@doc.gov]
Sent: Thursday, May 12, 2011 5:35 PM
To: Millspaw, Tegan; Hollister, Hudson
Cc: Boyd, April; Miles, Adam; Corbin, Kevin
Subject: Department of Commerce response to Chairman Issa's inquiries on FOIA

Tegan and Hudson,

Attached is the Department of Commerce's response to Chairman Issa's recent inquiries on FOIA. You should receive a hard copy soon.

Thanks,

Jon Wright

Jon Wright
Office of the Secretary
Legislative and Intergovernmental Affairs
U.S. Department of Commerce
202-482-6080 (desk)
202-320-1531 (cell)

3/5/2012

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To: tegan.millspaw@mail.house.gov; hudson.hollister@mail.house.gov
Cc: Boyd, April; adam.j.miles@mail.house.gov; kevin.corbin@mail.house.gov
Subject: Department of Commerce response to Chairman Issa's inquiries on FOIA
Attachments: 5_12_11 DOC response to Issa FOIA inquiry.pdf

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Jon Wright

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Legislative and Intergovernmental Affairs
U.S. Department of Commerce
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202-320-1531 (cell)

Wright, Jonathan

From: Wright, Jonathan
Sent: Tuesday, February 22, 2011 4:52 PM
To: tegan.millspaw@mail.house.gov
Subject: Commerce FOIA requests inquiry

Tegan,

Thank you for speaking with me today. As I stated on the phone, the Department is in receipt of the Committee's two requests (one to NOAA and one to the Department of Commerce) on FOIA and is currently working to respond to the Committee's request in one consolidated response. Please feel free to call or email anytime.

Thanks,

Jon Wright
Office of the Secretary
Legislative and Intergovernmental Affairs
U.S. Department of Commerce
202-482-6080 (desk)
202-320-1531 (cell)