

## Department of Commerce

### Section 1: Highlights of Agency E-Government Activities

#### **A. Enhanced Delivery of Information and Services to the Public - Sec. 202(g)**

*Section 202(g) of the E-Gov Act requires agencies to provide information on how electronic Government is used to improve performance in delivering programs to constituencies. In no more than 250 words, describe one IT agency activity or initiative that enhances the delivery of information and services to the public and others, or makes improvements in government operations. This example should highlight how electronic government improved the effectiveness, efficiency, and quality of services provided by your agency.*

The United States Patent and Trademark Office's (USPTO) Electronic Filing System, also referred to as EFS-Web or simply EFS, is a web-based system for submitting patent applications and related documents electronically. Using EFS-Web, anyone with a Web-enabled computer can file patent applications and documents without downloading special software or changing document preparation tools and processes. All users may file new applications for accelerated examination, design patents, design patent reissues, international applications for filing in the US receiving office, provisional applications, reexamination requests, utility patents under 35 USC 111 (a), utility patent reissues, U.S. National Stage applications under 35 USC 371, ASCII text files (for sequence listings, computer listings, mega tables, mathematical formulae, chemical formulae, and 3D protein crystal structures), and petitions under 37 CFR 1.378(c). Applications must be in PDF format. Users who have registered may also file follow-on documents and/or fees for previously filed applications, and pre-grant publications. Upon filing via EFS, users are sent an electronic receipt that acknowledges the submission date. Submissions are available for viewing on USPTO's Public Patent Application Information Retrieval (PAIR) Web page within hours of submission.

#### **B. Public Access to Electronic Information - Sec. 207(f)(1)(B)**

*Section 207(f)(1)(B) of the E-Gov Act requires that agency websites assist public users to navigate agency websites, including the speed of retrieval of search results and the relevance of the results. Provide the updated URL(s) that contains your agency's customer service goals and describes activities that assist public users in providing improved access to agency websites and information, aid in the speed of retrieval and relevance of search results, and uses innovative technologies to improve customer service at lower costs. For example, include the URL to your agency's Customer Service Plan.*

Public Facing Agency URL(s)	Brief Explanation (if necessary)
<a href="http://open.commerce.gov/news/2011/10/24/department-commerce-customer-service-plan">http://open.commerce.gov/news/2011/10/24/department-commerce-customer-service-plan</a>	

## Section 2: Compliance with Goals and Provisions of the E-Gov Act

### A. Performance Integration - Sec. 202(b)

*The E-Gov Act requires agencies to develop performance metrics that demonstrate how electronic government supports agency objectives, strategic goals, and statutory mandates. In no more than 250 words, describe what performance metrics are used and tracked for IT investments and how these metrics support agency strategic goals and statutory mandates. Please discuss performance metrics that focus on customer service, agency productivity, innovative technology adoption and best practices. If applicable, include a description of your agency's evaluation model and how it is used. Provide applicable URL(s) for performance goals related to IT.*

The Department of Commerce (DOC) uses several activities and processes to effectively monitor and track performance of information technology (IT) portfolios and investments. On a monthly basis, Major IT investments are reviewed and assigned a score or “green”, “yellow”, or “red” based upon a series of project-related risk criteria. Periodically, or at key decision points in the program/project lifecycle, the project will be brought in for review by the Commerce IT Review Board (CITRB), which holistically evaluates IT Project/Program and Portfolio performance, progress risk and health. The CITRB is chaired by the Chief Information Officer (CIO) and co-chaired by the Chief Financial Officer (CFO). The CITRB also conducts TechStat reviews for IT initiatives that have extreme issues, problems, or escalating risk that are preventing the initiative from successfully meeting the mission, completing on schedule or on budget. Techstat reviews are conducted at the DOC-level and at the Bureau-level. For tracking IT investment performance, DOC utilizes two metrics that measure the activities of the CITRB, which oversees Commerce’s major IT Investments/projects and portfolios and approves funding requests and/or increases: 1. TechStat reviews are performed on “red” rated IT projects/programs (Sustained red for 3 or more consecutive months within a 12-month period.) TARGET: Review 100% of sustained “red” rated IT Projects within a 12 month period. 2. Percent of major IT projects undergoing CITRB or TechStat reviews per fiscal year. TARGET: Review 50% of major IT projects per fiscal year (Approximately 21 reviews conducted)

### B. Accessibility - Sec. 202(c) and (d)

*The E-Gov Act requires agencies to consider the impact of implementing policies on persons without access to the internet, and ensure accessibility to people with disabilities. Provide the URL(s) for your agency's website which describes actions taken by your agency in accordance with Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).*

Public Facing Agency URL(s)	Brief Explanation (if necessary)
<a href="http://ocio.os.doc.gov/ITPolicyandPrograms/IT_Accessibility/index.htm">http://ocio.os.doc.gov/ITPolicyandPrograms/IT_Accessibility/index.htm</a>	
<a href="http://osec.doc.gov/Accessibility/">http://osec.doc.gov/Accessibility/</a>	

### C. Government-Public Collaboration - Sec. 202(e)

*The E-Gov Act requires agencies to sponsor activities that use information technology to*

*engage the public in the development and implementation of policies and programs. In no more than 250 words, describe one example of how your agency utilized technology to initiate government-public collaboration in the development and implementation of policies and programs.*

Commerce works in partnership with the private sector and state, local, tribal, and international governments to develop and share best practices to create the proper conditions for economic growth and opportunity. This is accomplished through various means, including the use of collaboration tools, public meetings and feedback efforts such as website comments and social media. The Presidential Ambassadors for Global Entrepreneurship (PAGE) is representative of a successful initiative in this area. PAGE is a first-of-its-kind collaboration between 11 of America's most inspiring and prominent entrepreneurs, the White House, the Department of Commerce, and the Department of State and U.S. Agency for International Development partners. Established by the Department of Commerce, PAGE is a group of successful American businesspeople eager to share their knowledge and experience to help develop the next generation of entrepreneurs at home and abroad. Members have agreed to participate in an ongoing dialogue with policy makers globally, acting as goodwill ambassadors in discussions about how to create an environment where creativity, innovation, and entrepreneurship can grow and thrive. They will also participate in outreach and mentorship activities to help promote start-up culture, and energize their own personal and professional networks to challenge and inspire budding entrepreneurs and raise awareness of the many resources available to them. This initiative connects highly successful entrepreneurs with hundreds of cities in the United States and around the world to help spark grassroots startup growth.

#### **D. Credentialing - Sec. 203**

*The E-Gov Act seeks to achieve interoperable implementation of electronic signatures for appropriately secure electronic transactions with Government. In no more than 250 words, describe current activities your agency is undertaking to achieve the interoperable implementation of electronic credential authentication for transactions within the Federal Government and/or with the public (e.g. agency implementation of HSPD-12 and/or digital signatures).*

The highly-federated nature of the DOC poses significant technical and organizational challenges to the successful implementation of any enterprise-wide initiative. Substantial progress was made in FY 2015 with regards to HSPD-12 logical access to Commerce networks including a policy memo mandating the use of PIV cards for logical access. A digital signature policy has existed in the DOC OCIO's office since 2012, but increased technical implementation of PIV cards for logical network access has also increased the desire for a DOC-wide digital signature policy. This effort is currently under consideration with the DOC IT Security Coordinating Committee. Further, in FY15 a DOC-wide assessment was conducted on how to leverage existing infrastructure to build a robust Department-wide Identity, Credential, and Access Management (ICAM) program which include the use of PIV cards for digital signature.

#### **E. USA.gov activities - Sec. 204 and Sec. 207(f)**

*In accordance with Section 204 of the E-Gov Act, www.USA.gov serves as an integrated internet-based system for providing the public with access to government information*

and services. In accordance with Section 207(f)(3), provide the URL(s) your agency's activities on www.USA.gov.

Public Facing Agency URL(s)	Brief Explanation (if necessary)
<a href="http://www.usa.gov/directory/federal/department-of-commerce.shtml">http://www.usa.gov/directory/federal/department-of-commerce.shtml</a>	
<a href="http://www.usa.gov/mobileapps.shtml">http://www.usa.gov/mobileapps.shtml</a>	
<a href="http://apps.usa.gov/national-weather-service.shtml">http://apps.usa.gov/national-weather-service.shtml</a>	
<a href="http://apps.usa.gov/release-mako.shtml">http://apps.usa.gov/release-mako.shtml</a>	
✘ <a href="http://www.usa.gov/Citizen/Topics/Family-Community.shtml">http://www.usa.gov/Citizen/Topics/Family-Community.shtml</a>	

**F. eRulemaking - Sec. 206**

*The E-Gov Act seeks to assist the public, including the regulated community, in electronically submitting information to agencies under Federal requirements, by reducing the burden of duplicate collection and ensuring the accuracy of submitted information. In no more than 250 words, provide a description of your agency's use of online electronic regulatory submission capabilities, specifically the usage of www.Regulations.gov and the Federal Docket Management System (FDMS).*

The eRulemaking program provides substantial benefits as an electronic docket solution for DOC to manage their regulatory information and to post documents for public comments as well as other submissions. DOC's participation in the eRulemaking program enhances the public's access to, and participation in, the regulatory process, improves DOC's regulatory processes, and creates transparency for all regulatory decisions. Participation in this program allows DOC to provide a publicly accessible website containing electronic dockets for regulations. DOC's regulatory information is accessible on www.Regulations.gov. In FY 2015, DOC posted 820 rules and proposed rules, 892 Federal Register notices, and provided public access to 28,392 documents at www.Regulations.gov. The www.Regulations.gov website improves the public's engagement with DOC by supporting the notice and public comment process for rulemaking and promoting public participation for an open exchange of regulatory information. Additionally, the FDMS docket management system provides DOC staff with continuous improvement of internal docket management functionalities, electronic recordkeeping, and the ability to publicly post all relevant documents on www.Regulations.gov (e.g., Federal register documents, proposed rules, notices, supporting analyses, and public comments). In FY 2015, 196 DOC staff members used www.FDMS.gov, which facilitated the creation and posting of 210 regulatory dockets in FDMS. DOC received 30,825 public comments via www.Regulations.gov. These comments are stored directly in FDMS.

**G. National Archives Records Administration (NARA) Recordkeeping - Sec. 207(d-e)**

*The E-Gov Act requires agencies to adopt policies and procedures to ensure that chapters 21, 25, 27, 29, and 31 of title 44, United States Code, are applied effectively and comprehensively to Government information on the Internet and to other electronic records. In no more than 250 words, describe your agency's adherence to NARA*

*recordkeeping policies and procedures for electronic information online and other electronic records. Additionally, please indicate the number of electronic records that have been scheduled with NARA and any pending scheduling for electronic systems at your agency.*

DOC has established records management policies and records schedules for all of the department's records, including electronic information and other electronic records. These records management programs ensure permanent records in all media form are transferred to National Archives Records Administration (NARA) according to the approved records schedules. DOC is incorporating electronic records management requirements into the Enterprise Architecture, for internal controls to ensure the reliability, authenticity, integrity, and usability of agency electronic records maintained in electronic information systems. DOC also has an active working group of records officers who are internally reviewing and updating the DOC policy. The goal is to ensure DOC policy addresses many of the categories in NARA's 2013 Self-Assessment, and OMB Memorandum M-12-18 Managing Government Records, and has sections that specifically address IT systems and electronic records. A revised policy is expected in the 3rd quarter of FY 2015. Some key updates being include requiring the Records Officer involvement in the planning and development stages of new IT systems, and clarity on roles and responsibilities in the Department. Rollout of virtual training for Records Management for All-Hands is expected to transpire by the 2nd quarter of FY 2015.

**H. Freedom of Information Act (FOIA) - Sec. 207(f)(A)(ii)**

*The E-Gov Act requires agency websites to include direct links to information made available to the public under the Freedom of Information Act. Provide the updated URL for your agency's primary FOIA website.*

Public Facing Agency URL(s)	Brief Explanation (if necessary)
<a href="http://www.osec.doc.gov/omo/FOIA/FOIAWebsite.htm">http://www.osec.doc.gov/omo/FOIA/FOIAWebsite.htm</a>	

**I. Information Resources Management (IRM) Strategic Plan - Sec. 207(f)(A)(iv)**

*The E-Gov Act requires agency websites to include the strategic plan of the agency developed under section 306 of title 5, US Code. Provide the updated URL to your agency's IRM Strategic Plan. This plan should encompass activities in FY14. If your agency does not have an updated plan, please provide the URL to the most recent plan and indicate when an updated plan will be available.*

Public Facing Agency URL(s)	Brief Explanation (if necessary)
<a href="http://ocio.os.doc.gov/s/groups/public/@doc/@os/@ocio/@osds/documents/content/prod01_009501.pdf">http://ocio.os.doc.gov/s/groups/public/@doc/@os/@ocio/@osds/documents/content/prod01_009501.pdf</a>	
<a href="http://ocio.os.doc.gov/s/groups/public/@doc/@os/@ocio/@osds/documents/content/prod01_009501.pdf">http://ocio.os.doc.gov/s/groups/public/@doc/@os/@ocio/@osds/documents/content/prod01_009501.pdf</a>	

**J. Research and Development (R&D) - Sec. 207(g)**

*If your agency funds R&D activities, provide the updated URL(s) for publicly accessible information related to those activities, and specify whether or not each website provides the public information about Federally funded R&D activities and/or the results of the Federal research.*

Public Facing Agency URL(s)	Brief Explanation (if necessary)
<a href="http://ocio.os.doc.gov/ITPolicyandPrograms/E-Government/PROD01_003924">http://ocio.os.doc.gov/ITPolicyandPrograms/E-Government/PROD01_003924</a>	Research and Development (R&D)

**K. Privacy Policy and Privacy Impact Assessments - Sec. 208(b)**

*The E-Gov Act requires agencies to conduct a privacy impact assessment; ensure the review of the privacy impact assessment by the Chief Information Officer, or equivalent official, as determined by the head of the agency; and if practicable, after completion of the review under clause, make the privacy impact assessment publicly available through the website of the agency, publication in the Federal Register, or other means. In no more than 250 words, describe your agency's adherence to this provision, including adherence to OMB's guidance pertaining to the use of IT to collect, maintain, or disseminate identifiable information, or when new systems are procured for this purpose. In addition, describe your agency's process for performing and updating privacy impact assessments for IT.*

In accordance with Office of Management and Budget (OMB) Memorandum 03-22, OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, when a new information system is procured or changes to an existing information system creates new privacy risks and the system collects, maintains, or disseminates identifiable information, the system owner and/or bureau Information Systems Security Officer (ISSO) completes a Privacy Threshold Analysis in accordance with the Department's Privacy Policy. If it is determined that a privacy impact assessment (PIA) is necessary for a new IT system or a PIA needs to be updated for an existing IT system, the system owner and/or bureau ISSO completes a PIA and submits it to the bureau chief privacy officer (BCPO) or designee. Once reviewed by the BCPO or designee, the PIA is forwarded to the Office of the Chief Information Officer for review of the IT security controls and to the Privacy Program Coordinator in the Office of Privacy and Open Government for review of the privacy controls simultaneously. There is a five working-day review requirement. Once the review process is complete, the PIA is forwarded to the Departmental Chief Privacy Officer for review and approval. If the PIA is approved by the Departmental Chief Privacy Officer, the PIA is forwarded to the appropriate office for posting to the website.

**K2. Privacy Policy and Privacy Impact Assessment Links - Sec. 208(b)**

*In addition to the narrative provided above in section K., provide the updated URL(s) for your agency's privacy policy and the website where your agency's privacy impact assessments are available.*

Public Facing Agency URL(s)	Brief Explanation (if necessary)
<a href="http://ocio.os.doc.gov/ITPolicyandPrograms/IT_Privacy/dev01_003746">http://ocio.os.doc.gov/ITPolicyandPrograms/IT_Privacy/dev01_003746</a>	

### **M. Agency IT Training Programs - Sec. 209(b)(2)**

*The E-Gov Act calls for agencies to establish and operate information technology training programs. The act states that such programs shall have curricula covering a broad range of information technology disciplines corresponding to the specific information technology and information resource management needs of the agency involved; be developed and applied according to rigorous standards; and be designed to maximize efficiency, through the use of self-paced courses, online courses, on-the-job training, and the use of remote instructors, wherever such features can be applied without reducing the effectiveness of the training or negatively impacting academic standards. In no more than 250 words, describe your agency's IT training program, privacy training program, cross-agency development programs, and competencies reviews for IT workforce.*

IT Security Training Program: In fiscal year 2015, DOC focused on enhancing the cybersecurity awareness and training program. DOC implemented role-based Cyber Security Assessment and Management (CSAM) training to help standardize and increase CSAM usage within DOC. As part of DOC's goal to be seen as a leader in cybersecurity training across the federal government, DOC hosted three quarterly cybersecurity technical workshops, which was attended by representatives of over 44 governmental agencies. DOC enhanced the authorizing official and system owner training curriculum, and updated the cybersecurity workforce development policy to integrate training concepts identified in NIST SP 800-16. DOC expanded the security awareness campaign by delivering 18 cybersecurity instructor-led awareness training sessions addressing techniques to prevent phishing, social engineering and identity theft. Privacy Training Program: DOC requires all new employees to receive initial privacy training during their orientation briefing. To address general user training, DOC created an interactive, web-based training that addresses protecting PII which is available on the Commerce Learning Center. Cross-Agency Development Programs: DOC leads the National Initiative for Cyber Security Education (NICE). The NICE initiative is comprised of over 20 federal departments and agencies to ensure coordination, cooperation, focus, technology transfer, and sustainability for IT security training and education. Competency Reviews: DOC has mandated that critical elements be integrated into Senior Executive/Professional Performance Agreements for individuals assigned as Authorizing Officials or System Owners. As part of Operating Unit compliance assessments, spot checks are performed on development agreements to verify compliance with the requirement.