



United States International Trade Commission
2023 CHIEF FOIA OFFICER REPORT



Chief FOIA Officer:
Lisa R. Barton
Secretary to the Commission

If you have questions regarding this report, please contact:

Lisa R. Barton
Secretary to the Commission
U.S. International Trade Commission
500 E Street, SW
Washington, DC 20436
Telephone: (202) 205-2595
Email: lisa.barton@usitc.gov

Paula Presley
FOIA Liaison, Office of the Secretary
U.S. International Trade Commission
500 E Street, SW
Washington, DC 20436
Telephone: (202) 205-2219
Email: paula.presley@usitc.gov

U.S. INTERNATIONAL TRADE COMMISSION 2023 CHIEF FOIA OFFICER REPORT

Congress established the U.S. International Trade Commission (USITC or Commission) in 1916. It is an independent, quasi-judicial federal agency whose mission is to investigate and make determinations in proceedings involving imports claimed to injure a domestic industry or violate U.S. intellectual property rights; provide independent analysis and information on tariffs, trade, and competitiveness; and maintain the U.S. tariff schedule.

The Commission has identified two mission-related strategic goals. First, it will produce sound, objective, and timely determinations in trade remedy proceedings. Second, the Commission will produce independent, objective, and timely analysis and information on tariffs, trade, and competitiveness. These goals reflect the interests of its principal customers – the president, the U.S. Trade Representative, and Congress, and thereby also serve U.S. industry, workers, and the general public. In order to deliver greater impact, the Commission also established a management goal to efficiently and effectively advance the agency’s mission.

The USITC’s Chief Freedom of Information Act (FOIA) Officer administers the USITC’s FOIA Program with the assistance of the FOIA Public Liaison. As a small agency, the USITC maintains staff commensurate with its needs to effectively implement its FOIA program.

In accordance with 5 U.S.C. § 552(j)(1), the USITC has designated a senior official as its Chief FOIA Officer. This role is carried out by Lisa R. Barton, Secretary to the Commission.

The USITC places a high priority on training and education. During calendar year 2022, FOIA staff attended the Department of Justice's (DOJ) training sessions covering updates to the annual report, and the Chief FOIA Officer's Council meetings. Agency staff now have access to DOJ issued FOIA training through our agency's Learning Management System.

In 2022, the USITC's FOIA Program continued to update its FOIA correspondence templates to promote efficiency and expediency in responding to FOIA requests. Using templates as a baseline to respond to requestors also continues to ensure that the agency provides clear and consistent information to requestors. To enhance consistent, thorough responses to FOIA requests, FOIA personnel meet with each responsible programming office prior to searches. Agency staff assigned to FOIA appeals also conducted a review of our appeals process and implemented new procedures to streamline the review process.

As part of its continuous efforts to ensure that the USITC's FOIA Program operates efficiently and effectively, Commission FOIA staff, including the Chief FOIA Officer and the FOIA Public Liaison, meet at least quarterly to review the current-year FOIA files. We review our FOIA checklist to ensure that all appropriate documents are contained within each file, as well as recorded accurately, and we ensure that staff has followed all internal procedures. This approach enables the FOIA staff to continually improve and streamline the FOIA process to ensure that our FOIA Program operates efficiently and effectively.

The Commission utilizes electronic means, when feasible, to communicate with FOIA requestors. When requestors provide their email address, we respond by email and acknowledge receipt of their request. We also use email as an opportunity to communicate with requestors during processing the FOIA request and to respond to any general concerns or feedback relating to the request. Additionally, the Commission provides electronic records whenever possible and uses software to electronically apply any necessary redactions to released records. In addition, the USITC website provides the public with reference materials and a guide for requesting records or information (<https://www.usitc.gov/offices/secretary/foia/index.htm>).

The Commission uses separate tracking for simple requests. In FY 2022, the average number of days to process simple requests 21 days, and 22 days for complex requests. There were 16 backlogged requests. Notably, we submitted all of the Commission's quarterly FOIA reports to our agency's web team for transmittal to DOJ for web posting. All quarterly reports were timely under DOJ's deadlines.

To identify records and information of interest for proactive public disclosure, the Commission applies an informal, but extensive, review of records. Staff working in each functional area review their applicable section(s) of the Commission's website to determine how best to address the interests of the public. The USITC website provides links to the resources of interest to the public noted below.

- *Federal Register* notices (since March 2022, published **1484** columns notices in the Federal Register and posted **454** notices on the Commission's website),
- Publications (since March 2022, made **83** additional publications available online),
- Statistical data regarding investigations before the Commission
- Electronic Document Information System (EDIS) (since March 2022, posted over **15,000** public documents),
- Press releases (**136** press releases issued and posted during the 2022 calendar year), and

- The Harmonized Tariff Schedule of the United States (HTS) (received approximately 7.45 million visits to the HTS Search website for tariff information in 2022.).

The Commission offers free email updates to the public through eSubscribe. Users may select multiple topic areas of interest to receive email notifications. Likewise, the Commission offers free document notification filings via an RSS feed in EDIS.

Additionally, the USITC maintains the FOIA Releasable Documents page, which provides the public with documents requested under FOIA. The USITC actively reviews closed FOIA requests throughout the year in order to be able to proactively disclose records likely to be of interest to the public. We are dedicated to ensuring openness and transparency as is evidenced by our commitment to increase proactive disclosures. The USITC's FOIA Releasable Documents page is available at:

<https://www.usitc.gov/secretary/foia/foia-releasable-documents>.

Lastly, the Commission built upon its success with the 337Info repository, which contains section 337 investigative data from FY 2009 to the present, by implementing a new database that includes investigation information across all three major investigatory missions. The new system, the Investigations Database System (IDS), includes information regarding investigation topics, schedules, participants, and outcomes. This system, integrated with EDIS, manages investigations across the Commission. In FY 2022 the Commission deployed IDS to internal production to manage its investigations while continuing to develop advanced search functionalities. Once these development efforts for advanced search are completed in FY 2023, IDS will be released to the public, culminating a multiyear development effort to bring together siloed datasets and data management processes across the Commission into one unified system.

IDS will serve as an authoritative data source and will generate in-depth search results across multiple practice areas, providing new perspectives and insights for data users. Key investigation information, such as procedural schedules, participants, products, countries, outcomes, and more are accessible to the public in an easily searchable format.