



UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration
Washington, D.C. 20230

SENT BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 10, 2016

Ms. Fanny Hidvegi and Mr. John Tran
Electronic Privacy Information Center
1718 Connecticut Avenue, NW
Suite 200
Washington, DC 20009

Tracking Number: DOC-ITA-2016-000577

Dear Ms. Hidvegi and Mr. Tran:

This letter is in response to your Freedom of Information Act (FOIA) request submitted to the U.S. Department of Commerce (Department) via facsimile on February 4, 2016. The Department transferred your request to the International Trade Administration (ITA) on February 8, 2016, for direct response to you. In your request, on behalf Electronic Privacy Information Center (EIPC), you seek a copy of the "Privacy Shield."

As announced on February 2, 2016, we have reached agreement with the European Commission on the EU-US Privacy Shield and are working now to finalize the agreement documentation. Therefore, the record that you have requested does not exist. Under the FOIA, the Department has no obligation to create, compile, or obtain from outside the Department a record to satisfy a request (15 C.F.R. § 4.3(b)).

In addition, you sought expedited processing of your request. The requirements for requestors seeking expedited processing can be found at 15 C.F.R. § 4.6(e)(1). Because the record that you requested does not exist, we are denying your request for expedited process. Please note that the Department has provided you a final response within ten calendar days.

In accordance with 15 C.F.R. §§ 4.10(a) and (b), you have the right to appeal this determination within 30 calendar days from the date of this letter. The Department deems written or electronic appeals arriving after normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday) as received on the next normal business day. The appeal must include a copy of the original request, this letter, and a statement of the reasons why you consider the Department made this determination in error. Please mail written appeals to the below address:

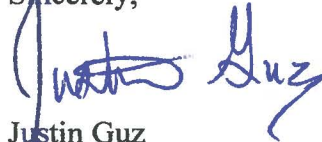


Assistant General Counsel for Administration
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Room 5898-C
Washington, D.C. 20230

You may also send an appeal via facsimile to (202) 482-2552. For a written appeal, clearly mark "Freedom of Information Act Appeal" on both the letter and the appeal envelope. You may address electronic appeals to FOIAAppeals@doc.gov. The Department does not provide an opportunity for personal appearance, oral argument, or hearing of an appeal.

Also in your request you sought a fee waiver under 15 CFR § 4.11(k)(1). There are no fees to be charged in processing your request. Thank you in your interest in ITA. Should you have any questions regarding this response, please contact me at (202) 482-7937 or at foia@trade.gov.

Sincerely,



Justin Guz
FOIA Officer
International Trade Administration