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

February 15, 2008

Ms. Marcia Hofmann Staff Attorney Electronic Frontier Foundation 454 Shotwell Street San Francisco, CA 94110

Dear Ms. Hofmann:

RE: Freedom of Information Act Request CRRIF 08-074

This is an interim response to your Freedom of Information Act (FOIA) request to the Department of Commerce, dated November 29, 2007, in which you requested, "all memoranda of understanding, contracts or other agreements between DOC and Google or other technology companies from January 2006 to the present for the digitization or other copying of agency information (including pre-existing "legacy" information and data holdings) to promote greater access of such data by the general public." On January 7, 2008 an email was sent to you for clarification regarding the interpretation of "digitization or copying of agency information," and if documents initiated prior to January 1, 2006 but extended past January 1, 2006 be of interest to you. Your response did not amend the initial request.

We have not completed our search and review of all documents responsive to your request. We are, however, enclosing documents we have processed to date that are responsive. The enclosed documents are being released in their entirety.

Sincerely,

Brenda Dolan

Departmental Freedom of Information

and Privacy Act Officer

Enclosures

	U.S. DEPARTMENT OF COMMERCE DATE INTERNATIONAL TRADE ADMINISTRATION Office of the Chief Information Officer						
OCIO Purch CONO	nase/Procu CURRENCE		equest				
What? Google Renewal two year support	(\$23,400.00						
	(\$23,400.00		Υ				
WHO'S REQUESTING?			TELEPHONE NUMBE 202 482 2147	:R		WHEN?	
Andy Wilbanks					ASAP		
CONCURRENCE INITIALS	INITIALS	DATE	SUBMITTED	O TO:	RPS	INITIALS	DATE
NAME			NAME:				
OFFICE: Team Leader			OFFICE:				
Andy Wilbanks			NAME:				
OFFICE:		9/14/06	OFFICE:				
Configuration Manager							
			NAME:				
Curtis Oja							
OFFICE:			OFFICE:				
Contract & Finance Manager							
NAME: Sylvia Burns			NAME:				
OFFICE:		ľ	OFFICE:				
Enterprise Architect			OFFICE.				
NAME:	-		NAME:				
Renèe Macklin							
OFFICE:			OFFICE:				
CIO	İ						
ADDITIONAL INFORMATION OR SPECIAL INSTRUCTION Include any additional information.	NS (Contin	ue on revers	e if necessary)				
I certify, as the requiring official, this				ı 508 accessil	oility	requireme	ents.
Signature							
Attach three vend	or quotes i	if applica	ble for this purch	ase 🚤			

"Enterprise Account Management" <enterprise-am@google.co

To andy.wilbanks@mail.doc.gov

cc karen@onixnet.com, dstandish@google.com

bcc

10/24/2006 06:23 PM

Subject [#79742396] Google Search Appliance License for: US Dept. of Commerce/ITA

Thank you for your purchase of the Google Search Appliance!

We have attached your purchased license key to this e-mail. The purchased license key entitles you to obtain two years of support under the purchase agreement. Instructions for installing the license are documented at the bottom of this message.

You can find the latest documentation and FAQs on the Google Search Appliance at https://support.google.com/enterprise/.

According to the standard Google Search Appliance contract with you will receive support for your appliance, for two years from the ship date of the appliance.

We encourage you to check out our latest documentation and FAQs at https://support.google.com/enterprise/ prior to contacting us. It's very likely that you will find your answers there right away. If you have any additional questions or issues, please contact us using the "Contact Us" form on the support site.

Best Regards, Google Search Appliance Support Team http://www.google.com/appliance

To install the license, follow these steps:

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- 1. Save the attached license key to your local computer.
- 2. Click on the "Administration > License" link in the admin console.
- 3. Install the new license by clicking the browse button to upload the license key file that was saved in step 1.
- 4. Click on "View New License" to check the new license.
- 5. Click on "Accept and Install new License" to complete the process.
- 6. Return to the main page and continue to enjoy your Google Search Appliance.



license_S4-NB9BAWVNZQNAT_20061024_151520.gpg

U.S. DEPARTMENT OF COMMERCE INTERNATIONAL TRADE ADMINISTRATION

CONCURRENCE RECORD

(Prescribed by ITA A.I. 8-1)

DATE 01/03/07

ROUTING PURPOSE SYMBOLS (RPS) C- CONCURRENCES S- SIGNATURE

SUBJECT OF DOCUMENT: Additional search licenses) \$16,497.18								
NAME AND OFFICE OF ORIGINATOR				TELEPHONE NUMBER			DEADLIN	NE DATE
Andy Wilbanks ITA/OCIO				(202) 482-2147				
				INITIALS	DATE 01/03/07			
SUBMITTED TO	RPS	INITIALS	DATE	SUBMITTED	то	RPS	INITIALS	DATE
NAME: Andy Wilbanks				NAME:				
office: Configuration Manager			01/03/07	OFFICE:				
NAME: Fred Thornberry				NAME:				
office: Acquisitions, Contracts & Finance				OFFICE:				
NAME: Stanley Houston				NAME:				
office: Acquisitions, Contracts & Finance				OFFICE:				
NAME: Renee Macklin				NAME:				
OFFICE: CIO				OFFICE:				
ADDITIONAL INFORMATION OR SPECIAL I certify, as the requiring official, this			·	inue on reverse if necessar h Section 508 accessibil		;.		
Signature			****					
(1) OCIO initially purchased a block of this limit and consequently an addition	of 500 nal blo	,000 Goo ock of 500	gle searche 0,000 searc	s for internet based proches need procuring.	ducts, but the sea	arch le	vel is app	roaching
(2) Onix is the sole source for this pro	curen	nent. See	attached sta	atement.				
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GSA Price quotation prepared for: Andrew Wilbanks IT Coordinator and Configuration Manager USDOC/ITA/Office of the Chief Information Officer

202-482-2147 / andy.wilbanks@mail.doc.gov All Pricing is in U.S. Dollars RZ0102 ray@onixnet.com www.onixnet.com Fax: 440-871-0399

800-664-9638 x-20

11/17/2006 Ray Zilka

PART NUMBER	Short description	GSA Price	Qty	GSA Extended Price
GOOGLE SEARCH APP	IANCE, Version 4.0		70 K.	
GB-UPG-1001-1	Upgrade from 500K to 1M Documents, price is calculated on a monthly basis and applied to the remaining number of months for the license. 21 months @ \$785.58 per month. Effective date 1/08/07 Through 10/07/08	\$785.58	21	\$16,497.18

This GSA pricing is valid for 30 days.

Address Purchase Orders to:

Onix Networking Corp. 26931 Detroit Rd. Westlake, OH 44145 Fax - 440-871-0399, Phone- 800-664-9638 x-45, e-

mail ray@onixnet.com

EFT: ABA (routing #) 041200555, Acct #5337023435 DFAS - WInS (Web Invoicing System)

GSA Finance Electronic Invoicing System
Terms: Net 30 days from receipt of product and/or

beginning of maintenance or support.

www.onixnet.com
D&B Number: 80-7896121
GSA Schedule: GS-35F-5519H
Federal ID Number: 34-1729033
Cage Code: OZZJ6

Status: Small Business

Google

To Whom It May Concern:

Onix Networking is the exclusive reseller on the GSA schedule for the Google Search Appliance. Google does not have a GSA schedule of their own nor do they have any other resellers that have put us on their GSA schedule. The Google Search Appliance is currently not on any other government contracting vehicles.

Cordially,

Candace Wilson Senior Licensing Mgr

650 623-4353

www.google.com/appliance

From:

"Enterprise Account Management" <enterprise-am@google.com>

To:

andy.wilbanks@mail.doc.gov

cc:

dstandish@google.com, karen@onixnet.com, davel@onixnet.com

Date:

Wednesday, January 31, 2007 06:43PM

Subject:

[#108592946] Google Search Appliance License for US Dept. of Commerce/ITA

History:

This message has been forwarded.

Thank you for your purchase of the Google Search Appliance!

We have attached your purchased license key to this e-mail. The purchased license key entitles you to obtain two years of support under the purchase agreement. Instructions for installing the license are documented at the bottom of this message.

You can find the latest documentation and FAQs on the Google Search Appliance at https://support.google.com/enterprise/.

According to the standard Google Search Appliance contract, you will receive support for two years from the ship date of the appliance.

We encourage you to check out our latest documentation and FAQs at https://support.google.com/enterprise/prior to contacting us. It's very likely that you will find your answers there right away. If you have any additional questions or issues, please contact us using the "Contact Us" form on the support site.

Best Regards, Google Search Appliance Support Team http://www.google.com/appliance

To install the license, follow these steps:

- 1. Save the attached license key to your local computer.
- 2. Click on the "Administration > License" link in the admin console.
- 3. Install the new license by clicking the browse button to upload the license key file that was saved in step 1.
- 4. Click on "View New License" to check the new license.
- 5. Click on "Accept and Install new License" to complete the process.
- 6. Return to the main page and continue to enjoy your Google Search Appliance.

Attachments:

license_S4-NB9BAWVNZQNAT_20070131_154012.gpg

Documentation for Order over \$2,500

. Requirement . Competition,	: Google Search	me)	Jud tho	(Signature)	
. Competition,		Annliance		(Signature)	
	Ountes solicited.	тррианов			
Vendor/	Quotes sonerica.	<u> </u>			
	Merchant	Small Business?* Reminder: Orders over \$2,500 are automatically setaside for small businesses	Date Solicited	Price Quoted	Selected for Award? (Check One)
Onix		Yes	9/14/06	4892	~
		-			
1C) Price is deter		nd reasonable based on			
•		iotes (Multiple quote: st quote was selected.	s solicited; multi	ple quotes received)(C	.heck one below)
		•	lected. Per FAR 1	3.106-3, you must supp	port the award decision if
				ed in selecting the supp	
			· · · · · · · · · · · · · · · · · · ·		
				•	
		: 4			
	Multiple quotes	were solicited. Only	one quote was i	eceived.	
		3, the price is determin			
	(NOTE: All sele	ctions require furthe	r explanation be	low).	
	Marke	t Research;			
				nd reasonable on previ	
				. (However, inclusion of elf, establish fairness ar	nd reasonableness of the price
	A com	parison with similar it	tems in a related i	ndustry;	•
	Ine ca	rdholder's personal kn arison to an independe	iowieage of the it ent Government e	em being purchased; stimate;	
		reasonable basis			
	EVDI AINI.				
	EXPLAIN:				
		·			
V	Only one quote	was solicited.			
					the only authorized

II. JUSTIFICATION FOR PURCHASE/ORDER FROM OTHER THAN SMALL BUSINESS

(Required if purchase/order over \$2,500 was placed with other than a small business, per FAR 19.502-2)

	The order was from a "required source of supply" which is not a small business.
	_ The order was against a pre-established DoC contract which is not a small business. The purchase card
	being used to make payment.
	Subscription/Publication (must be purchased from the publisher, which is a large business).
	The item is proprietary in nature and could only be provided by one source, which was a large business.
	(Describe item and attach a sole source justification).
	An effort was made to contact small businesses, but a small business could not be located. (Describe efforts.)
	Other. Explain below.
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GSA Price quotation prepared for: Andrew Wilbanks IT Coordinator and Configuration Manager USDOC/ITA/Office of the Chief Information Officer

202-482-2147 / andy.wilbanks@mail.doc.gov All Pricing is in U.S. Dollars 9/14/2006 Ray Zilka 800-664-9638 x-20 dal@onixnet.com www.onixnet.com Fax: 440-871-0399

PART NUMBER	Short description	GSA Price	Qty	GSA Extended Price
GOOGLE SEARCH APPLIA) NCE, Version 4.0			uga z
GB-1001-200K-STD	200,000 documents - 2 years support plus updates	\$4,892.00	1	\$4,892.00
05 101 201 015	200,000 doodnones 2 years support plus updates	Ψ+,002.00	<u> </u>	Ψ4,002.00
	Please see below for Standard descrip	tion	1	L

This GSA pricing is valid for 30 days.

"Remote Support" (Standard Connected) means a Customer-enabled modem or SSH connection that provides access to the Appliance for Google Technical Support Personnel to diagnose and/or correct a Critical Request, Standard Request, or Time-Critical Request.

Address Purchase Orders to:

Onix Networking Corp. 26931 Detroit Rd. Westlake, OH 44145

Fax - 440-871-0399, Phone- 800-664-9638 x-45, e-mail ray@onixnet.com

EFT: ABA (routing #) 041200555, Acct #5337023435 DFAS - WInS (Web Invoicing System)

GSA Finance Electronic Invoicing System

Terms: Net 30 days from receipt of product and/or beginning of maintenance or support.

www.onixnet.com

D&B Number: 80-7896121 GSA Schedule: GS-35F-5519H Federal ID Number: 34-1729033 Cage Code: OZZJ6

Status: Small Business

Remit To:

Onix Networking Corporation

26931 Detroit Road Westlake, Ohio 44145 800•ONIXNET (664-9638) 440•871•0399 fax



Invoice

Invoice Number GSA06266

Invoice Date 9/26/2006

Sold To: Ship To: **US Dept of Commerce** US Dept of Commerce/ITA Attn: Fred Phornberry Attn: Andrew Wilbanks 1401 Constitution Ave, NW ITA/Office of the CIO, Room 4800 Room 4800 1401 Constitution Ave, NW Rm 1842 Washington, DC 20230 Washington, DC 20230 Customer P.O. **Payment Terms** Due Date Fred Phornberry Credit Card 9/26/2006 Sales Rep. I.D Shipping Method Ship Date 9/26/2006 RZ. UPS Ground Quantity Description: Unit Price Extension Item · GB-1001, 500,000 documents. Include: GB-1001-500K-ST 4.892.00 years support and updates Subtotal \$0.00 Sales Tax \$4,892.00 Total Amount \$-4,892.00 Payment Received \$0.00

TIN: 34-1729033

GSA Contract # GS-35F-5519H Billing Inquires: 800•664•9638 Website: www.onixnet.com



Attachment B

Documentation for Order over \$2,500

I. DETE	RMINATION OF	FAIR AND REASON	NABLE PRICE (R	equired on Purchase	es over \$2,500)
A. Cardholder:	Fred Thornber	ry	fred Ho	stane	
B. Requiremen	(Na :: Google license	me) s		(Signature)	
C. Competition	/Quotes solicited:		.		
Vendor/	Merchant	Small Business?* Reminder: Orders over \$2,500 are automatically setaside for small businesses	Date Solicited	Price Quoted	Selected for Award? (Check One)
Onix		Yes	11/17/06	16497.18	✓
				·	
	made to a large b	usiness, complete Just	ification for use o	f Large Business belo	w. (See CAM 1313.301, Section
3.1C)					
D. Price is deter	mined to be fair ar	nd reasonable based on	ı: (Check one)		
	Lowes	otes (Multiple quote of quote was selected than low price was se than price-related fact	lected. Per FAR 1	3.106-3, you must su	pport the award decision if
	Multiple gyetee	were solicited. Only			
	Per FAR 13.106-3 (NOTE: All sele	3, the price is determin ctions require furthe	ed to be fair and	reasonable based on:	
	Comp Currer catalog, A com The ca		or advertisements not, in and of itse tems in a related i nowledge of the it	s. (However, inclusion elf, establish fairness a ndustry; em being purchased;	evious purchases; In of a price in a price list, In and reasonableness of the price);
	EXPLAIN:				
	Only one quote Per FAR 13.106-3	was solicited. 3(b)(3), you must expl	ain the absence of	competition: Only o	one source is available.

II. JUSTIFICATION FOR PURCHASE/ORDER FROM OTHER THAN SMALL BUSINESS

(Required if purchase/order over \$2,500 was placed with other than a small business, per FAR 19.502-2)

The purchase/c	order was made from other than a small business for the following reason: (check one)
	The order was from a "required source of supply" which is not a small business.
	The order was against a pre-established DoC contract which is not a small business. The purchase card is
	being used to make payment.
	Subscription/Publication (must be purchased from the publisher, which is a large business).
	The item is proprietary in nature and could only be provided by one source, which was a large business.
	(Describe item and attach a sole source justification).
	An effort was made to contact small businesses, but a small business could not be located. (Describe
	efforts.)
***************************************	Other. Explain below.

U.S. DEPARTMENT OF COMMERCE INTERNATIONAL TRADE ADMINISTRATION

DATE 01/03/07

ROUTING PURPOSE SYMBOLS (RPS) C- CONCURRENCES S- SIGNATURE

CONCURRENCE RECORD

(Prescribed by ITA A.I. 8-1)

NAME AND OFFICE OF ORIGINATOR Andy Wilbanks ITA/OCIO				TELEPHONE NUM			DEADLI	NE DATE
				(202) 482-2147			•	
				INITIALS	DATE 01/03/07			
SUBMITTED TO	RPS	INITIALS	DATE	SUBI	MITTED TO	RPS	INITIALS	DATE
NAME: Andy Wilbanks		QW		NAME:				
OFFICE: Configuration Manager			01/03/07	OFFICE:				
NAME: Fred Thornberry	-	1. 1	114	NAME:				
OFFICE: Acquisitions, Contracts & Finance		J.l. J.	14461	OFFICE:				
NAME: Stanley Houston		10	dolo	NAME:				
office: Acquisitions, Contracts & Finance		0	177/07	OFFICE:				
NAME: Renee Macklin		0.2	Jul	NAME:				
OFFICE:		100	19/07	OFFICE:				

ADDITIONAL INFORMATION OR SPECIAL INSTRUCTIONS: (Continue on reverse if necessary)

I certify, as the requiring official, this procurement complies with Section 508 accessibility requirements.

- (1) OCIO initially purchased a block of 500,000 Google searches for internet based products, but the search level is approaching this limit and consequently an additional block of 500,000 searches need procuring.
- (2) Onix is the sole source for this procurement. See attached statement.



GSA Price quotation prepared for: Andrew Wilbanks IT Coordinator and Configuration Manager USDOC/ITA/Office of the Chief Information Officer 202-482-2147 / andy.wilbanks@mail.doc.gov

All Pricing is in U.S. Dollars RZ0102 11/17/2006 Ray Zilka 800-664-9638 x-20 ray@onixnet.com www.onixnet.com Fax: 440-871-0399

PART NUMBER	Short description	GSA Price	Qty	GSA Extended Pr
OGLE SEARCH APP	LIANCE, Version 4.0			
GB-UPG-1001-1	Upgrade from 500K to 1M Documents, price is calculated on a monthly basis and applied to the remaining number of months for the license. 21 months @ \$785.58 per month. Effective date 1/08/07 Through 10/07/08	\$785.58	21	\$16,497.18
*** **********************************				

This GSA pricing is valid for 30 days.

Address Purchase Orders to:

Onix Networking Corp. 26931 Detroit Rd. Westlake, OH 44145 Fax - 440-871-0399, Phone- 800-664-9638 x-45, email ray@onixnet.com EFT: ABA (routing #) 041200555, Acct #5337023435

DFAS - WinS (Web Invoicing System)
GSA Finance Electronic Invoicing System
Terms: Net 30 days from receipt of product and/or
beginning of maintenance or support.

www.onixnet.com
D&B Number: 80-7896121
GSA Schedule: GS-35F-5519H
Federal ID Number: 34-1729033

Cage Code: OZZJ6

Status: Small Business

Google

To Whom It May Concern:

Onix Networking is the exclusive reseller on the GSA schedule for the Google Search Appliance. Google does not have a GSA schedule of their own nor do they have any other resellers that have put us on their GSA schedule. The Google Search Appliance is currently not on any other government contracting vehicles.

Cordially,

Candace Wilson

Senior Licensing Mgr 650 623-4353

www.google.com/appliance

Remit To:

Onix Networking Corporation

26931 Detroit Road Westlake, Ohio 44145 800•ONIXNET (664-9638) 440•871•0399 fax



Invoice

Invoice Number GSA07106 Invoice Date

1/10/2007

Sold To:	Ship To.
US Dept of Commerce Attn: Fred Thornberry 1401 Constitution Ave, NW Room 4800 Washington, DC 20230	US Dept of Commerce/ITA Attn: Andrew Wilbanks Office of the CIO, Room 4806 1401 Constitution Ave Washington, DC 20230
Customer P.O.	ayment Torms Due Date

., washington, D o 20230	Washington, DC 20230		
Gustomer P.O.	Payment Terms	Due Date	
ever Credit Card	Credit Card	1/10/2007	•
Sales Rep. J.D.	Shipping Method	Ship Date	e e
R7. Quantity item	Best Way Description	1/10/2007 Unit Price Exten	ision
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		Total Amount	\$0.00 ,497.18
2	Pay	THOREST COURT COST	,497.18
			-\$0.0 0

TIN: 34-1729033

GSA Contract # GS-35F-5519H Billing Inquires: 800•664•9638 Website: www.onixnet.com

