



## [Public.Resource.Org](http://Public.Resource.Org)

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United States

# Registry of Activities of [Public.Resource.Org](http://Public.Resource.Org) (2015–2020)

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## 1.6. India

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## **2. Litigation and Petitions**

### **2.1. American Society for Testing and Materials et. al. v. Public.Resource.Org, Inc.**

- U.S. District Court for the District of Columbia, Hon. Tanya S. Chutkan
- District Court Docket: [1:13-cv-01215](#)
- Current Status: The U.S. Court of Appeals has lifted the injunction and remanded the case to the U.S. District Court for further proceedings.
- Representation: Fenwick & West, EFF, Durie Tangri, David Halperin
- U.S. Court of Appeals for the DC Circuit, [Docket 17-7035](#)

### **2.2. American Educational Research Association, Inc. et. al. v. Public.Resource.Org, Inc.**

- U.S. District Court for the District of Columbia, Hon. Tanya S. Chutkan
- District Court Docket: [1:14-cv-00857](#)
- Current Status: This case has been consolidated with the above-cited American Society for Testing and Materials at. al. v. Public.Resource.Org, Inc.
- Representation: Fenwick & West, EFF, Durie Tangri, David Halperin
- U.S. Court of Appeals for the DC Circuit, [Docket 17-7035](#)

### **2.3. Public.Resource.Org v. United States Internal Revenue Service**

- U.S. District Court for the Northern District of California, Hon. William H. Orrick
- Docket: [3:13-cv-02789](#)

- Current Status: The case has concluded and the Judge has ruled in favor of Public.Resource.Org. The IRS has announced that starting in 2016, they will begin wholesale release of e-file versions of nonprofit tax returns. Pro Publica has taken over our IRS archive and a full dump of all 8 million files is available on the Internet Archive for others wishing to serve this data
- Documents:
  - [Full archive](#) of letters and reports sent from 2012 to 2015
  - [Form 990s](#) in e-file format released in 2015
- Representation: Davis Wright Tremaine, assisted by David Halperin

#### **2.4. Code Revision Commission et. al. v. Public.Resource.Org, Inc.**

- U.S. District Court for the Northern District of Georgia, Hon. Mark H. Cohen
- Current Status: Public.Resource.Org prevailed in this suit. Chief Justice Roberts delivered the [Opinion of the Court](#) on April 27, 2020.
- Representation: Alston & Bird, Elizabeth Rader of Calliope Law, Eric Citron of Goldstein & Russell, and David Halperin, Of Counsel to Public Resource.
- District Court Docket: [1:15-cv-02594](#)
- Appellate Docket: [Docket 17-11589](#)
- Supreme Court Docket: [18-1150](#)
- Oral Argument: December 2, 2019 [[audio](#), [transcript](#)]

#### **2.5. DIN Deutsches Institut für Normung e.V. v. Public.Resource.Org, Inc. and Carl Malamud**

- Hanseatisches Oberlandesgericht (Hanseatic Higher Regional Court), Hamburg, Germany
- Docket: [Aktenzeichen 5 U 76/15](#)
- Current Status: An adverse judgment has been received by the Court of Second Instance. The matter is res judicata.
- Representation: Morrison Foerster, iRights.Law

## 2.6. Petition to Her Majesty's Government, United Kingdom

- [Petition Submitted](#) (October 5, 2015)
- [Letter to Cabinet Office \(Full Docket\)](#) (February 5, 2019)
- [Right To Know and Public.Resource.Org initiate legal action against the European Commission](#) (April 2, 2019)
- [European Court of Justice Docket, Case T-18519](#)

## 2.7. Public.Resource.Org, Inc. & Ors. v. Union of India & Ors.

- High Court of Delhi in New Delhi
- Writ Petition: [WRIT PETITION \(C\) NO. 11901 OF 2015](#), December 12, 2015.
- Full Docket: [Docket](#)
- Current Status: The writ petition has been accepted and will be heard in the normal course of the court's business.
- Representation: Chambers of Jawahar Raga (senior counsellor) and Shri Salman Khurshid (senior counsellor)

## 2.8. Administrative Office of the U.S. Courts

- Correspondence:
  - [Letter to Congressman Mike Honda](#) (March 3, 2015)
  - [Letter to the Administrative Office](#) (March 2, 2015)
  - [Refund Request to PACER Service Center](#) (March 12, 2015)
  - [Letter from the Administrative Office](#) (March 24, 2015)
  - [Refund Response from PACER Service Center](#) (March 25, 2015)
  - [Report of Systematic Privacy Breaches](#) (March 30, 2015)
  - [Report of Systematic Billing Errors](#) (March 31, 2015)
  - [Letter to the Honorable Darrell Issa](#) (July 28, 2015)
  - [Letter to the Honorable Chuck Grassley](#) (August 17, 2015)

- Litigation: Fee Exemption Application for Public.Resource.Org, [Docket 15-80056](#), U.S. Court of Appeals for the Ninth Circuit. The motion was [Denied](#) by the Chief Judge on July 6, 2015
- Representation: Davis Wright Tremaine
- Advocacy:
  - [Yo.YourHonor.Org](#)
  - [PACER Postcards](#)
  - Signed Cards, Batches [1](#), [2](#), [3](#), [4](#), and [5](#).

## **2.9. Judiciary Committee, U.S. House of Representatives**

- [Letter of Invitation](#) (January 14, 2014)
- [Testimony of Carl Malamud](#) (January 14, 2014)
- [Request for Updated Information](#) (July 20, 2015)
- [Public Resource response to request](#) (November 20, 2015)

## **2.10. American Bar Association, House of Delegates**

- [Initial Submission of Report and Resolution](#) (April 6, 2017)
- [Partial Audit of ABA Publications](#) (April 6, 2017)
- [Revision per Feedback From Rules and Calendar](#) (May 23, 2017)
- [Response to Intellectual Property Section](#) (June 4, 2017)
- [Resolution as Calendared](#) (June 16, 2017)
- [Draft Opening Statement](#) (July 30, 2017)
- [Draft Closing Statement](#) (August 3, 2017)
- [Memorandum of Withdrawal](#) (August 6, 2017)
-

## 2.11. Public.Resource.Org and Right to Know Ireland v. European Commission

- [Public Records Act Request to European Commission](#) (September 25, 2018)
- [Denial of Request](#) (November 15, 2018)
- [Appeal of Denial of Freedom of Information Request on Harmonised Standards](#) (November 22, 2018)
- [Denial of Appeal](#) (January 22, 2019)
- [Case T-185/19, Case Brought Before the European Court of Justice](#) (March 28, 2019)

## 3. Standards and Codes

- Please consult [law.resource.org](http://law.resource.org) or [Internet Archive](#) for access to standards and codes.

## 4. Comments on Notices of Proposed Rulemaking

### 4.1. Pipeline and Hazardous Materials Safety Administration (PHMSA) (Dept. of Transportation)

- Subject: Hazardous Materials: Miscellaneous Amendments (RRR)
- Regulations.Gov Docket: [PHMSA-2013-0225](#) (Docket Closed March 24, 2015)
- Notice of Rulemaking: [80 FR 3787](#), January 23, 2015
- Public.Resource.Org Comments: [March 24, 2015](#)
- Co-Signatories: Greenpeace USA
- Final Rule: [81 FR 35483](#), June 2, 2016

### 4.2. Federal Highway Administration (FHWA) (Dept. of Transportation)

- Subject: National Performance Management Measures; Assessing Pavement Condition for the National Highway Performance Program and Bridge Condition for the National Highway Performance Program
- Regulations.Gov Docket: [FHWA-2013-0053](#) (Docket Closed April 6, 2015)

- Notice of Rulemaking: [80 FR 325](#), January 5, 2015
- Public.Resource.Org Comments: [April 3, 2015](#)
- Co-Signatories: Center for Auto Safety
- Final Rule: [80 FR 325](#), January 18, 2017

#### **4.3. United States Coast Guard (Dept. of Homeland Security)**

- Subject: Commercial Diving Operations - Advanced Notice of Proposed Rulemaking (ANPRM)
- Regulation.Gov Docket: [USCG-1998-3786](#) (Docket Closed May 20, 2015, Subsequently Reopened)
- Notice of Rulemaking: [80 FR 9151](#), February 19, 2015
- Public.Resource.Org Comments: [May 7, 2015](#)
- Co-Signatories: Certified Divers, Including Joichi Ito, Director, MIT Media Lab; David Helvarg, Executive Director, Blue Frontier Campaign; Buck Calabro, Professional Computer Programmer and Diver; Grant W. Graves, Director and Director of Photography; Aaron Turner, Professional Computer Programmer and Diver; Wendy Turner, Program Manager and Diver
- Extension of Rulemaking: [80 FR 51173](#), August 24, 2015
- Public.Resource.Org Comments: [October 23, 2015](#)

#### **4.4. United States Access Board**

- Subject: Information and Communication Technology (ICT) Standards and Guidelines
- Regulations.Gov Docket: [ATBCB-2015-0002](#) (Docket Closed May 28, 2015)
- Notice of Rulemaking: [80 CFR 10879](#), February 27, 2015
- Public.Resource.Org Comments: [May 28, 2012](#)
- Co-Signatories: Sina Bahram, Expert on Accessibility and James S. Tyre, Attorney



- Final Rule: [80 FR 10879](#), January 18, 2017

#### **4.5. Bureau of Safety and Environmental Enforcement (BSEE) (Dept. of the Interior)**

- Subject: Oil and Gas and Sulphur Operations in the Outer Continental Shelf-- Blowout Preventer Systems and Well Control
- Regulations.Gov Docket: [BSEE-2015-0002](#) (Docket Closed July 16, 2015)
- Notice of Rulemaking: [80 FR 31560](#), June 3, 2015
- Public.Resource.Org Comments: [June 3, 2015](#)
- Co-Signatories: Greenpeace USA
- Final Rule: [April 29, 2016](#)
- Proposed Rule: [November 17, 2016](#)

#### **4.6. Federal Highway Administration (FHWA) (Dept. of Transportation)**

- Subject: Design Standards for Highways
- Regulations.Gov Docket: [FHWA-2015-0003](#) (Docket Closed July 2, 2015)
- Notice of Rulemaking: [80 FR 31327](#), June 2, 2015
- Public.Resource.Org Comments: [June 15, 2015](#)
- Co-Signatories: Elizabeth Deakin, Professor of City & Regional Planning, University of California at Berkeley; Kendra K. Levine, Research Library, UC Berkeley Institute of Transportation Studies; Ruth Miller, Transportation Consultant; Ralph Nader, Lawyer; Center for Auto Safety; National Association of City Transportation Officials
- Final Rule: [80 FR 61302](#), October 13, 2015

#### **4.7. Bureau of Safety and Environmental Enforcement (BSEE) (Dept. of the Interior)**

- Subject: Oil and Gas and Sulphur Operations in the Outer Continental Shelf- Update of Incorporated Cranes Standard

- Regulations.Gov Docket: [BSEE-2014-0002](#) (Docket Closed July 15, 2015)
- Notice of Rulemaking: [80 FR 34113](#), June 15, 2015
- Public.Resource.Org Comments:
  - [July 15, 2015](#) (Main Comment)
  - [July 15, 2015](#) (Animated GIF Attachment)
  - [July 15, 2015](#) (HTML Attachment)
  - [July 20, 2015](#) (Protest over Procedural Irregularities)
  - [September 9, 2015](#) (Answer to Protest)
- Final Rule: [81 FR 46477](#), July 15, 2016
- Final Rule: [81 FR 61833](#), September 7, 2016

#### **4.8. Pipeline and Hazardous Materials Safety Administration (PHMSA) (Dept. of Transportation)**

- Subject: Pipeline Safety: Plastic Pipe Rule
- Regulations.Gov Docket: [PHMSA-2014-0098](#) (Docket Closed July 31, 2015)
- Notice of Rulemaking: [80 FR 29263](#), May 21, 2015
- Public.Resource.Org Comments: [July 24, 2015](#)
- Co-Signatories: DeSmogBlog; Eric Ball, Resident of San Bruno; James Creech, Resident of Burlingame; James Cutsinger, First Responder, San Mateo County Sheriff's Department

#### **4.9. Consumer Product Safety Commission**

- Subject: Safety Standard for Infant Bathtubs
- Regulations.Gov Docket: [CPSC-2015-0019](#) (Docket Closed October 28, 2015)
- Notice of Rulemaking: [80 FR 48769](#), August 14, 2015
- Public.Resource.Org Comments: [October 28, 2015](#)

- Final Rule: [82 FR 15615](#), March 30, 2017

#### 4.10. Consumer Product Safety Commission

- Subject: Garage Door Operator Safety Standard
- Regulations.Gov Docket: [CPSC-2015-0025](#) (Docket Closed November 16, 2015)
- Notice of Rulemaking: [80 FR 53036](#), September 2, 2015
- Public.Resource.Org Comments: [November 16, 2015](#)
- Final Rule: [April 7, 2016](#)

#### 4.11. National Highway Traffic Safety Administration

- Subject: Electric Vehicle Standards
- Regulations.Gov Docket: [NHTSA-2011-0148](#)
- Notice of Proposed Rulemaking: [78 FR 2797](#), January 14, 2013
- Notice of Final Rulemaking: [81 FR 90416](#), December 14, 2016
- Public.Resource.Org Comments: [December 14, 2016](#)

### 5. FOIA Requests for Communications with SDOs

In each case, a FOIA request is submitted asking for any communications the agency has had with private Standards Development Organizations.

#### 5.1. Administrative Conference of the United States

- [FOIA Request to ACUS](#) (June 9, 2015)
- [Response letter from the Administrative Conference of the United States](#) (June 24, 2015)
- [Response files from ACUS](#) (June 24, 2015)

#### 5.2. U.S. Access Board

- [FOIA Request to the U.S. Access Board](#) (June 8, 2015)

- [Response from the U.S. Access Board](#) (July 2, 2015)

### **5.3. National Institute of Standards and Technology**

- [FOIA Request to NIST](#) (March 12, 2014)
- [Interim Response from NIST](#) (April 30, 2014)
- [Response from NIST](#) (August 27, 2014)
- [Final Response from NIST](#) (November 11, 2014)

### **5.4. Bureau of Safety and Environmental Enforcement (Dept. of the Interior)**

- [FOIA Request to BSEE](#) (June 8, 2015)
- [Status response from BSEE](#) (June 9, 2015)
- [FOIA response from BSEE](#) (July 29, 2015)

### **5.5. Federal Highway Administration (Dept. of Transportation)**

- [FOIA Request to the Federal Highway Administration](#) (June 8, 2015)
- [Status response from the Federal Highway Administration](#) (June 9, 2015)
- [Response from the Federal Highway Administration](#) (June 11, 2015)

### **5.6. Occupational Safety and Health Administration (Dept. of Labor)**

- [Request to OSHA](#) (May 14, 2015)
- [Receipt of Request from OSHA](#) (May 29, 2015)
- [Response to Request from OSHA](#) (June 12, 2015)

### **5.7. Pipeline and Hazardous Materials Safety Administration (Dept. of Transportation)**

- [FOIA Request to PHMSA](#) (June 8, 2015)
- [Denial of Expedited Treatment from PHMSA](#) (June 12, 2015)
- [Response to Request from PHMSA](#) (November 2, 2016)

## 6. FOIA Requests for Standards Incorporated by Reference

In each case, a Freedom of Information Act request is submitted asking for copies of standards that have been incorporated by reference. Public.Resource.Org is represented by Public Citizen for these requests.

### 6.1. U.S. Access Board

- [FOIA Request to U.S. Access Board](#) (April 1, 2015)
- [Response from the U.S. Access Board](#) (April 20, 2015)
- [Appeal to the U.S. Access Board](#) (May 14, 2015)
- [Denial of Appeal from the U.S. Access Board](#) (June 10, 2015)

### 6.2. Consumer Products Safety Commission

- [FOIA Request to U.S. CPSC](#) (April 1, 2015)
- [Status Response from U.S. CPSC](#) (April 2, 2015)
- [Denial from U.S. CPSC](#) (May 18, 2015)
- [Appeal to the U.S. CPSC](#) (May 28, 2015)
- [Denial of Appeal from U.S. CPSC](#) (June 24, 2015)
- [FOIA Request to the U.S. CPSC](#) (September 10, 2015)
- [Permission form for purchase of the law from the Vendor](#) (September 10, 2015)
- [Denial of permission for purchase of the law from the Vendor](#) (September 11, 2015)
- [Status response from U.S. CPSC](#) (September 16, 2015)
- [Response from U.S. CPSC](#) (September 23, 2015)
- [Appeal to the U.S. CPSC](#) (October 2, 2015)
- [Interim Appeal Response from the U.S. CPSC](#) (November 2, 2015)

- [Response from U.S. CPSC](#) (January 29, 2016)
- [Appeal to U.S. CPSC](#) (February 8, 2016)
- [Denial from U.S. CPSC](#) (March 10, 2016)

### **6.3. Office of the Federal Register (National Archives and Records Administration)**

- [FOIA Response from the Office of the Federal Register](#) (August 3, 2009)
- [FOIA Request to National Archives and Records Administration](#) (April 1, 2015)
- [FOIA Request to Office of the Federal Register](#) (April 1, 2015)
- [Response from the Office of the Federal Register](#) (May 18, 2015)
- [Appeal to the Office of the Federal Register](#) (June 9, 2015)
- [Status report from the Office of the Federal Register](#) (September 29, 2015)
- [Denial of Appeal from the Office of the Federal Register](#) (December 22, 2015)

### **6.4. Department of Housing and Urban Development**

- [FOIA Request to HUD](#) (April 1, 2015)
- [Response from HUD](#) (June 15, 2015)
- [Denial of permission for purchase of the law from the Vendor](#) (June 17, 2015)
- [Completed permission form for purchase of the law from the Vendor](#) (June 18, 2015)
- [Permission form for purchase of the law from the Vendor](#) (June 25, 2015)
- [FOIA Request to HUD](#) (July 2, 2015)
- [Response from HUD](#) (August 6, 2015)
- [Appeal to HUD](#) (August 12, 2015)
- [Status response from HUD](#) (August 14, 2015)
- [Denial from HUD](#) (September 10, 2015)

## 6.5. Mine Safety and Health Administration (Dept. of Labor)

- [FOIA Request to MSHA](#) (April 1, 2015)
- [Status Response from MSHA](#) (April 27, 2015)
- [Denial from MSHA](#) (May 5, 2015)
- [Appeal to the MSHA](#) (May 28, 2015)
- [Receipt of Request of Appeal from MSHA](#) June 22, 2015)

## 6.6. Occupational Safety and Health Administration (Dept. of Labor)

- [FOIA Request to OSHA](#) (April 1, 2015)
- [Denial from OSHA](#) (April 30, 2015)
- [Appeal to OSHA](#) (May 28, 2015)
- [Receipt of Appeal from OSHA](#) (June 22, 2015)

## 6.7. U.S. Coast Guard (Dept. of Homeland Security)

- [FOIA Request to U.S. Coast Guard](#) (April 1, 2015)
- [Rejection of Request from U.S. Coast Guard](#) (July 15, 2015)
- [FOIA Request to U.S. Coast Guard](#) (September 9, 2015)

## 6.8. Pipeline and Hazardous Materials Safety Administration (PHMSA) (Dept. of Transportation)

- [FOIA Request to PHMSA](#) (April 1, 2015)
- [Denial from PHMSA](#) (April 16, 2015)
- [Appeal to PHMSA](#) (May 5, 2015)
- [Denial of Right of Appeal from PHMSA](#) (May 12, 2015)

## 6.9. National Highway Traffic Safety Administration (NHTSA) (Dept. of Transportation)

- [FOIA Request to NHTSA](#) (April 1, 2015)

- [Response from NHTSA](#) (April 16, 2015)
- [Appeal to NHTSA](#) (May 4, 2015)
- [Denial of Appeal from NHTSA](#) (June 12, 2015)

## **7. FOIA Requests for Ethics Issues**

In each case where a government official is on the board of directors of a private Standards Development Organization, a request is submitted asking for documentation about the relationship and potential conflicts of interest.

### **7.1. National Institute of Standards and Technology**

- [FOIA Request to NIST](#) (July 22, 2015)
- [Response from NIST](#) August 5, 2015)
- [FOIA Request to NIST](#) (August 6, 2015)
- [FOIA Request to the Department of Commerce](#) (August 6, 2015)
- [FOIA Response from the Department of Commerce](#) (May 16, 2016)

### **7.2. U.S. Consumer Products Safety Commission**

- [FOIA Request to the U.S. CPSC](#) (July 22, 2015)
- [Response from U.S. CPSC](#) (August 11, 2015)

### **7.3. Department of Defense**

- [FOIA Request to the Department of Defense](#) (July 22, 2015)
- [Referral from the Department of Defense](#) (August 19, 2015)
- [Status response from the Department of Defense](#) (September 25, 2015)
- [Response from the Department of Defense](#) (September 28, 2015)

### **7.4. Department of Energy**

- [FOIA Request to the Department of Energy](#) (July 22, 2015)
- [Status response from the Department of Energy](#) (July 31, 2015)



- [Response from the Department of Energy](#) (September 8, 2015)

## **7.5. Environmental Protection Agency**

- [FOIA Request to the EPA](#) (July 22, 2015)
- [Status response from the EPA](#) (July 29, 2015)
- [Status response from the EPA](#) (August 8, 2015)
- [Final response from the EPA](#) (April 5, 2016)

## **7.6. Food and Drug Administration**

- [FOIA Request to the Food and Drug Administration](#) (July 22, 2015)

## **7.7. U.S. Air Force**

- [FOIA Request to the Air Force](#) (July 22, 2015)
- [Response from the Air Force](#) (September 8, 2015)