

Chief FOIA Officer Report to the Attorney General

Office of Science and Technology Policy

Rachael Leonard
Chief FOIA Officer
March 2014



February 24, 2014

The Honorable Eric Holder
Attorney General
United States Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530-0001

Dear Attorney General Holder:

The Office of Science and Technology Policy (OSTP) is pleased to present its annual Chief FOIA Officer Report. The 2013 Fiscal Year was OSTP's most successful year yet for FOIA requests. Although OSTP is a relatively small agency, in Fiscal Year 2013, we received 128 requests for documents under FOIA, a significant increase from the approximately 84 requests received in the previous year and the 52 requests received the year before. In addition, at the end of the 2013 Fiscal Year, only one request was pending.

OSTP recognizes that innovation blossoms in an open environment where ideas can be shared freely and ingenuity from a wide array of contributors is encouraged. As the home of the White House Open Government Initiative, OSTP takes seriously its responsibilities under the Freedom of Information Act (FOIA) and celebrates the principles of open government that it serves.

Our report details and discusses: (1) the steps taken to apply the presumption of openness; (2) the steps taken to ensure that OSTP has an effective system in place for responding to requests; (3) the steps taken to increase proactive disclosures; (4) the steps taken to greater utilize technology; and (5) the steps taken to improve timeliness in responding to requests and reducing backlogs.

Sincerely,

Rachael Leonard
Chief FOIA Officer
Office of Science and Technology Policy

I. Steps Taken to Apply the Presumption of Openness

Describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. To do so, you should answer the questions listed below and then include any additional information you would like to describe how your agency is working to apply the presumption of openness.

FOIA Training:

1. Did your agency hold an agency FOIA conference, or otherwise conduct training during this reporting period?

Yes.

2. If so, please provide the number of conferences or trainings held, a brief description of the topics covered, and an estimate of the number of participants from your agency who were in attendance.

All employees of the Office of Science and Technology Policy (OSTP) are notified of their responsibilities under the Federal Records Act (FRA) and the Freedom of Information Act (FOIA) as part of their “entrance training” upon beginning official duty with OSTP. Every OSTP employee receives a basic overview of relevant FOIA responsibilities during annual ethics and FRA training. These issues are also addressed at staff meetings and during individual counseling, as appropriate.

OSTP has two full-time employees who work directly on FOIA issues. These individuals have reviewed the President’s FOIA Memorandum and the Attorney General’s FOIA Guidelines, and have actively implemented the presumption of openness in response to FOIA requests and administrative appeals.

At OSTP, we recognize that the significant burdens of compliance with FOIA can easily lead to a combative and adversarial attitude. To counteract this trend, the Chief FOIA Officer circulates the President’s FOIA Memorandum and the Attorney General’s FOIA Guidelines to all employees. Additionally, briefings on the President’s FOIA Memorandum and the Attorney General’s FOIA Guidelines have been provided to employees.

3. Did your FOIA professionals attend any FOIA training such as that provided by the Department of Justice?

Yes. OSTP FOIA professionals attended training offered by the Department of Justice, Office of Information Policy’s. In addition, FOIA Guidelines are discussed with new OSTP employees during all entrance training, as well as during annual ethics and FRA training.

4. Provide an estimate of the percentage of your FOIA professionals who attended substantive FOIA training during this reporting period.

One hundred percent of our FOIA professionals attended substantive FOIA training during the reporting period.

5. OIP has issued guidance that [every agency should make core, substantive FOIA training available to all their FOIA professionals at least once each year](#). Provide your agency's plan for ensuring that such training is offered to all agency FOIA professionals by March 2015. Your plan should anticipate an upcoming reporting requirement for your 2015 Chief FOIA Officer Reports that will ask whether all agency FOIA professionals attended substantive FOIA training in the past year.

OSTP's FOIA professionals subscribe to the Department of Justice, Office of Information Policy email list, which provides notice of substantive FOIA training. OSTP FOIA professionals attend trainings relevant to their work.

Outreach:

6. Did your FOIA professionals engage in any outreach and dialogue with the requester community or open government groups regarding your administration of the FOIA? If so, please briefly discuss that engagement.

Yes. OSTP routinely engages with requesters regarding their requests and how to provide quality customer service when processing and responding to requests. In addition, OSTP has dedicated Open Government staff who engage with open government and transparency groups.

OSTP and its Open Government team helped develop the U.S. Open Government National Action Plan, which the U.S. Government unveiled at the Open Government Partnership (OGP) Summit in November 2013. OGP is a multilateral initiative of more than 60 nations and hundreds of civil-society organizations to promote transparency, empower citizens, fight corruption, and harness technology to strengthen governance. The National Action Plans outlines ambitious open-government commitments, including FOIA modernization and expansion of the Administration's Open Data initiatives.

Discretionary Disclosures:

In his 2009 FOIA Guidelines, the Attorney General strongly encouraged agencies to make discretionary releases of information even when the information might be technically exempt from disclosure under the FOIA. OIP encourages agencies to make such discretionary releases whenever there is no foreseeable harm from release.

7. Does your agency have a formal process in place to review records for discretionary release? If so, please briefly describe this process. If your agency is decentralized, please specify whether all components at your agency have a process in place for making discretionary releases.

Yes. OSTP staff review all records proposed for withholding to ascertain whether it could make a discretionary release. When possible, OSTP makes discretionary releases to the requesters. OSTP FOIA professionals are reminded through training and agency practice to look for opportunities to make discretionary releases.

8. During the reporting period did your agency make any discretionary releases of otherwise exempt information?

Yes, in Fiscal Year 2014, OSTP frequently made discretionary releases of material that could otherwise have been withheld under applicable FOIA exemptions. OSTP conducts a line-by-line review of material proposed for redaction and makes these discretionary releases in the spirit of openness.

9. What exemptions would have covered the information that was released as a matter of discretion?

OSTP rarely relies on exemptions other than Exemptions 5 and 6. FOIA Exemption 5 protects privileged inter- or intra-agency memoranda. OSTP often makes discretionary releases of material otherwise subject to withholding under FOIA Exemption 5.

10. Provide a narrative description, or some examples of, the types of information that your agency released as a matter of discretion

All individuals reviewing FOIA requests are tasked with the responsibility to review the responsive documents with an eye to making a discretionary release whenever possible. OSTP's policy on discretionary releases is that material should be made available to the public except where release would hinder the agency's ability to perform its statutory obligations to the President and to the American public. For example, in response to a FOIA request concerning information about Fukushima and the U.S. Government's response, OSTP voluntarily released information that it could have withheld under FOIA Exemption 5.

11. If your agency was not able to make any discretionary releases of information, please explain why.

N/A.

Other Initiatives:

12. Did your agency post all of the required quarterly FOIA reports for Fiscal Year 2013? If not, please explain why not and what your plan is for ensuring that such reporting is successfully accomplished for Fiscal Year 2014.

Some of OSTP's quarterly FOIA reports are posted online. For the other reports, OSTP has been actively working with the Department of Justice to correct a technical error with the host website to enable automated capture of its quarterly FOIA reports.

13. Describe any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied. If any of these initiatives are online, please provide links in your description.

OSTP uses its website to offer the public a variety of information that might otherwise be requested through FOIA. The agency has placed various documents, memoranda, testimony, federal charters, and R&D budgets on its website for the public to view at its convenience, as well as its Open Government Plan. In addition, OSTP has provided links to many of the reports issued by the various committees and subgroups of the National Science and Technology Council (NSTC), an interagency committee, and also to the reports issued by the President's Council of Advisors on Science and Technology (PCAST), a federal advisory committee.

OSTP has posted on its website a FOIA Reference Guide (http://www.whitehouse.gov/sites/default/files/microsites/ostp/foia_handbook_november_2012.pdf), which includes pertinent information including the President's FOIA Memorandum, the Attorney General's FOIA Guidelines, the Chief of Staff's FOIA Memorandum, and a link to the Department of Justice, Office of Information Policy's guidelines. These documents aid the staff and the public and provide additional information on Federal activities and FOIA policies. In addition, the Chief FOIA Officer discusses the presumption of openness with agency personnel to encourage the release of documents that might otherwise have been withheld. Responsive documents subject to an exemption are often reviewed several times and considered for potential discretionary releases.

II. Steps Taken to Ensure that OSTP has an Efficient and Effective System in Place for Responding to Requests

As the Attorney General emphasized in his FOIA Guidelines, "[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests." It is essential that agencies effectively manage their FOIA program.

Describe here the steps your agency has taken to ensure that your management of the FOIA program is effective and efficient. To do so, answer the questions below and then include any additional information that you would like to describe how your agency ensures that your FOIA system is efficient and effective.

Personnel:

During Sunshine Week 2012 OPM announced the creation of a new job series entitled the Government Information Series, to address the work performed by FOIA and Privacy Act professionals. Creation of this distinct job series was a key element in recognizing the professional nature of their work.

- 1. Has your agency converted all of its FOIA professionals to the new Government Information Specialist job series?**

No.

- 2. If not, what proportion of personnel has been converted to the new job series?**

None.

- 3. If not, what is your plan to ensure that all FOIA professionals' position descriptions are converted?**

OSTP does not currently have staff eligible for conversion to the new Government Information job series.

Processing Procedures:

- 4. For Fiscal Year 2013 did your agency maintain an average of ten or less calendar days to adjudicate requests for expedited processing? If not, describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.**

Yes. The FY2013 average for adjudicating requests for expedited processing was two days.

- 5. Has your agency taken any steps to make the handling of consultations and referrals more efficient and effective, such as entering into agreements with other agencies or components on how to handle certain categories or types of records involving shared equities so as to avoid the need for a consultation or referral altogether, or otherwise implementing procedures that speed up or eliminate the need for consultations. If so, please describe those steps.**

No, though OSTP welcomes the opportunity to do so. OSTP sends and receives a relatively low number of consultations each year. In addition, consultations tend to vary substantially on subject matter. For these reasons, OSTP has not found it efficient to establish specific procedures on handling consultations and referrals in a more routine on bulk manner.

Requester Services:

- 6. Do you use e-mail or other electronic means to communicate with requesters when feasible?**

Yes.

- 7. Does your agency notify requesters of the mediation services offered by the Office of Government Information Services (OGIS) at NARA?**

Yes.

- 8. Describe any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as conducting self-assessments to find greater efficiencies, improving search processes, eliminating redundancy, etc.**

Because OSTP operates efficiently and effectively, no additional steps were taken during the reporting period. Every FOIA request is logged in when received and reviewed for requests for expedited processing. The relevant employees who may have records are contacted within 1-2 business days and notified when they must provide the records. The records are sorted, copied, and reviewed for relevant exceptions. The records are then provided to the requestor.

III. Steps Taken to Increase Proactive Disclosures.

Both the President and Attorney General focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Describe here the steps your agency has taken both to increase the amount of material that is available on your agency website, and the usability of such information, including providing examples of proactive disclosures that have been made during this past reporting period (i.e., from March 2013 to March 2014). In doing so, answer the questions listed below and describe any additional steps taken by your agency to make and improve proactive disclosures of information.

Posting Material:

- 1. Do your FOIA professionals have a system in place to identify records for proactive disclosures?**

Yes.

- 2. If so, describe the system that is in place.**

As new documents, reports, and testimony become available, the materials undergo a standard clearance process, which includes a review by OSTP staff for potential posting on OSTP's website. Openness, transparency, enhancing public understanding and participation, timeliness, and protection of the deliberative process are some of the factors considered in these posting determinations.

OSTP posts new material such as documents, reports, and testimony to our website as they become available, usually soon after they are issued. Additionally, OSTP has chosen to voluntarily release certain information when OSTP has received repeated requests for the same material or there seems to be significant public interest in an issue. OSTP has posted helpful documents for the public related to its FOIA process, including a handbook that compiled existing FOIA information into a single, handy document. Finally, OSTP hosts the Open Government Office and regularly issues blog postings, "tweets" on Twitter, and press releases to provide more information to the public.

- 3. Provide examples of material that your agency has posted this past reporting period, including links to where this material can be found online.**

OSTP has updated the content of its FOIA website with more user-friendly instructions to requesters of how to submit a FOIA request. The new website is available at <http://www.whitehouse.gov/administration/eop/ostp/foia>.

Making Posted Material More Useful:

- 4. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website, such as soliciting feedback on the content and presentation of posted material, improving search capabilities on the site, posting material in open formats, making information available through mobile applications, providing explanatory material, etc.?**

Yes.

- 5. If so, provide examples of such improvements.**

OSTP revamped its FOIA website to provide it with a dedicated page and heading in the agency's left-hand navigation bar. The new website is available at <http://www.whitehouse.gov/administration/eop/ostp/foia>. The virtual Press Room maintains a collection of OSTP's press releases for the public to view. By hosting a Press Room, OSTP ensures the public has ready access to the same information OSTP provides directly to the Press, without having to file a FOIA request.

- 6. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If so, was social media utilized?**

OSTP maintains a blog, tweets, and a virtual Press Room, each of which offers the public a window into the different initiatives and activities spearheaded by the agency. The blog posts and tweets provide information that was once only obtainable through a FOIA request, and then only the individual requester received the information. Through these new media outlets, OSTP can reach a larger audience than is possible through a FOIA request.

- 7. Has your agency encountered challenges that make it difficult to post records you otherwise would like to post? If so, please briefly explain what those challenges are.**

Staff resources limit the frequency with which OSTP is able to post new content to the website.

- 8. Describe any other steps taken to increase proactive disclosures at your agency.**

OSTP has expanded its efforts to proactively provide the public with information about Administration initiatives through robust use of the OSTP website. OSTP's website now includes descriptions and links for much of OSTP's current work, including timely information about current initiatives.

IV. Steps Taken to Greater Utilize Technology

A key component of the President's FOIA Memorandum was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests. Over the past several years agencies have reported widespread use of technology in receiving and tracking FOIA requests and preparing agency Annual FOIA Reports. For 2014, as we have done over the past years, the questions have been further refined and now also address different, more innovative aspects of technology use.

Online Tracking of FOIA requests:

1. Can a FOIA requester track the status of his/her request electronically?

Though OSTP does not have an online tracking tool for the public to track their requests electronically, FOIA requesters are able to telephone OSTP's FOIA public liaison or submit a request for a status update electronically by email or fax.

2. If yes, how is this tracking function provided to the public? For example, is it being done through regularly updated FOIA logs, online portals, or other mediums?

N/A.

3. Describe the information that is provided to the requester through the tracking system. For example, some tracking systems might tell the requester whether the request is "open" or "closed," while others will provide further details to the requester throughout the course of the processing, such as "search commenced" or "documents currently in review." List the specific types of information that are available through your agency's tracking system.

N/A.

4. In particular, does your agency tracking system provide the requester with an estimated date of completion for his/her request?

N/A.

5. If your agency does not provide online tracking of requests, is your agency taking steps to establish this capability? If not, please explain why.

OSTP offers FOIA requesters the option to receive an update on the status of their requests in response to inquiries submitted by email, fax, phone, or mail. However, given its limited staffing, OSTP does not have an online tracking option.

Use of technology to facilitate processing of requests:

- 6. Beyond using technology to redact documents, is your agency taking steps to utilize more advanced technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents?**

Yes.

- 7. If so, describe the technological improvements being made.**

OSTP has employed software solutions to help expedite processing of FOIA requests and to improve overall FOIA efficiency. OSTP has processed requests using these systems and strives to optimize its FOIA processing through a hybrid approach that uses multiple platforms and thus takes advantage of the benefits of multiple technology tools.

- 8. Are there additional technological tools that would be helpful to achieving further efficiencies in your agency's FOIA program?**

Yes. A comprehensive software solution that combines the strengths of multiple software tools, in addition to resources for licensing costs, would help achieve further efficiencies.

V. Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs

The President and the Attorney General have emphasized the importance of improving timeliness in responding to requests. This section addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations. *For the figures required in this Section, please use those contained in the specified sections of your agency's 2013 Annual FOIA Report and, when applicable, your agency's 2012 Annual FOIA Report.*

Simple Track Requests:

1. Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

a. Does your agency utilize a separate track for simple requests?

Yes, OSTP uses a separate track for simple requests. Requests in this track are processed in chronological order based on the date on which the request was received by the agency.

b. If so, for your agency overall, for Fiscal Year 2013, was the average number of days to process simple requests twenty working days or fewer?

Yes, the average number of days to process simple requests in FY2013 was 10.8 days.

c. If your agency does not track simple requests separately, was the average number of days to process non-expedited requests twenty working days or fewer?

N/A.

Backlogs and "Ten Oldest" Requests, Appeals and Consultations:

2. Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal year. Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the

ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2012 and Fiscal Year 2013 when completing this section of your Chief FOIA Officer Report.

Backlogs

- a. If your agency had a backlog of requests at the close of Fiscal Year 2013, did that backlog decrease as compared with Fiscal Year 2012?**

In FY2013, OSTP had a backlog of one FOIA request, which OSTP received in the last weeks of the fiscal year. This backlog was an increase from the backlog of zero requests pending at the end of FY2012.

- b. If your agency had a backlog of administrative appeals in Fiscal Year 2013, did that backlog decrease as compared to Fiscal Year 2012?**

OSTP had no administrative appeals pending at the end of FY2013.

Ten Oldest Requests

- c. In Fiscal Year 2013, did your agency close the ten oldest requests that were pending as of the end of Fiscal Year 2012?**

Yes, OSTP closed all three requests that were pending per Section VII.E by the end of FY2013.

- d. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2012 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that. For example, if you only had seven requests listed as part of your "ten oldest" in Section VII.E. and you closed two of them, you should note that you closed two out of seven "oldest" requests.**

N/A.

Ten Oldest Appeals

- e. In Fiscal Year 2013, did your agency close the ten oldest administrative appeals that were pending as of the end of Fiscal Year 2012?**

OSTP had no administrative appeals pending at the end of FY2012.

- f. If no, please provide the number of these appeals your agency was able to close, as well as the number of appeals your agency had in Section VI.C.(5) of your Fiscal Year 2012 Annual FOIA Report.**

N/A.

Ten Oldest Consultations

- g. In Fiscal Year 2013, did your agency close the ten oldest consultations received by your agency and pending as of the end of Fiscal Year 2012?**

N/A. OSTP had no pending consultations.

- h. If no, please provide the number of these consultations your agency did close, as well as the number of pending consultations your agency listed in Section XII.C. of your Fiscal Year 2012 Annual FOIA Report.**

N/A.

Reasons for Any Backlogs:

- 3. If you answered “no” to any of the questions in item 2 above, describe why your agency was not able to reduce backlogs and/or close the ten oldest pending requests, appeals, and consultations. In doing so, answer the following questions then include any additional explanation:**

N/A.

Request and/or Appeal Backlog

- a. Was the lack of a reduction in the request and/or appeal backlog a result of an increase in the number of incoming requests or appeals?**

N/A.

- b. Was the lack of a reduction in the request and/or appeal backlog caused by a loss of staff?**

N/A.

- c. Was the lack of a reduction in the request and/or appeal backlog caused by an increase in the complexity of the requests received?**

N/A.

- d. What other causes, if any, contributed to the lack of a decrease in the request and/or appeal backlog?**

N/A.

“Ten oldest” Not Closed

- e. Briefly explain the obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2012.

N/A.

- f. If your agency was unable to close any of its ten oldest requests or appeals because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

N/A.

Plans for Closing of Ten Oldest Pending Requests, Appeals, and Consultations and Reducing Backlogs:

Given the importance of these milestones, it is critical that Chief FOIA Officers assess the causes for not achieving success and create plans to address them.

4. If your agency did not close its ten oldest pending requests, appeals, and consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2014.

N/A.

5. If your agency had a backlog of more than 1000 pending requests and did not reduce that backlog in Fiscal Year 2013, provide your agency’s plan for achieving backlog reduction in the year ahead.

N/A.

Interim Responses:

OIP has issued [guidance](#) encouraging agencies to make interim releases whenever they are working on requests that involve a voluminous amount of material or require searches in multiple locations. By providing rolling releases to requesters agencies facilitate access to the requested information.

6. Does your agency have a system in place to provide interim responses to requesters when appropriate?

Yes.

- 7. If your agency had a backlog in Fiscal Year 2013, please provide an estimate of the number or percentage of cases in the backlog where a substantive, interim response was provided during the fiscal year, even though the request was not finally closed.**

OSTP had only one request pending at the end of FY2013. This request involved a large volume of documents, many of which contained equities of other federal agencies. Yes, OSTP has made multiple interim responses to the requester. OSTP continues to make rolling productions to the requester as documents are processed and become available.

Use of FOIA's Law Enforcement "Exclusions"

In order to increase transparency regarding the use of the FOIA's statutory law enforcement exclusions, which authorize agencies under certain exceptional circumstances to "treat the records as not subject to the requirements of [the FOIA]," 5 U.S.C. § 552(c)(1), (2), (3), please answer the following questions:

1. Did your agency invoke a statutory exclusion during Fiscal Year 2013?

No, OSTP did not invoke a FOIA statutory law enforcement exclusion during Fiscal Year 2013.

2. If so, what is the total number of times exclusions were invoked?

N/A.

Spotlight on Success

Out of all the activities undertaken by your agency since March 2013 to increase transparency and improve FOIA administration, describe here at least one success story that you would like to highlight as emblematic of your agency's efforts. The success story can come from any one of the five key areas. As noted above, these agency [success stories](#) will be highlighted during Sunshine Week by OIP. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of a key achievement. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.

This past year, OSTP revamped its online FOIA website to provide clearer and more user-friendly instructions to the public and the FOIA requester community. The website redesign included moving the existing FOIA content to a dedicated webpage on the OSTP website and adding a FOIA heading and link in OSTP's main left-hand navigation from the Resources Library page. This redesign improved the ability of requesters to find information about OSTP's FOIA processes and procedures. In addition, OSTP updated information on how to submit FOIA requests, added documents to the online resource library, and incorporated information to direct requesters to the White House contact page when seeking records from the White House Office, which is a separate component of the Executive Office of the President.