

Chief FOIA Officer Report to the Attorney General

Office of Science and Technology Policy

Rachael Leonard
Chief FOIA Officer
March 2016



February 5, 2016

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

Dear Attorney General Lynch:

The Office of Science and Technology Policy (OSTP) is pleased to present its annual Chief FOIA Officer Report. The 2015 Fiscal Year was another successful year for OSTP in processing FOIA requests. Although OSTP is a relatively small agency, in Fiscal Year 2015, we received 99 requests for records under FOIA, a small increase from the approximately 93 requests received in 2014 and a decrease from the 128 requests received in 2013.

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

The guiding principle underlying the President's FOIA Memorandum and the Attorney General's FOIA Guidelines is the presumption of openness.

Please answer the following questions in order to describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. You may also include any additional information that illustrates how your agency is working to apply the presumption of openness.

FOIA Training:

- 1. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend any FOIA training or conference during the reporting period such as that provided by the Department of Justice? Such training or events can include offerings from OIP, your own agency or another agency or organization.**

Yes. OSTP FOIA professionals attended training offered by the Department of Justice, Office of Information Policy (OIP), including OIP's annual Refresher Training for Annual and Chief FOIA Officer Reports in October 2014 and OIP's Advanced FOIA Training in June 2015. OSTP FOIA Professionals implemented OSTP's 2015 plan to ensure that core, substantive FOIA training is offered to all of our FOIA professionals at least once each year. OSTP ensures that all FOIA professionals have adequate training resources available to them so that they maintain FOIA knowledge current with the state of the law. OSTP's FOIA professionals subscribe to the Department of Justice, Office of Information Policy email list, which provides notice of substantive FOIA training so that all FOIA professionals are made aware of FOIA training opportunities. OSTP FOIA professionals attend trainings relevant to their work. OSTP also ensures that all agency FOIA professionals receive internal training on electronic document processing and administrative systems.

- 2. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.**

80% of OSTP FOIA professionals attended substantive FOIA training during the reporting period.

- 3. OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.**

N/A.

Discretionary Releases:

4. Does your agency have a distinct process or system in place to review records for discretionary release? If so, please briefly describe this process.

Yes. OSTP FOIA professionals conduct a line-by-line review of all records proposed for withholding to ascertain whether the agency could make a discretionary release. Responsive records subject to an exemption are often reviewed several times and considered for potential discretionary releases. 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.

5. During the reporting period, did your agency make any discretionary releases of information?

Yes. In Fiscal Year 2015, OSTP made discretionary releases of material that could otherwise have been withheld under applicable FOIA exemptions.

6. What exemption(s) would have covered the material 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 makes discretionary releases of material otherwise subject to withholding under FOIA Exemption 5.

7. Provide a narrative description, as well as some specific examples, of the types of information that your agency released as a matter of discretion during the reporting year.

All individuals reviewing FOIA requests are tasked with the responsibility to review the responsive records with an eye to making a discretionary release whenever possible. For example, in response to one FOIA request, OSTP opted to discretionarily release records concerning the deliberations of an interagency subcommittee that could have been withheld under FOIA Exemption 5. Additionally, in response to a FOIA consult, OSTP discretionarily released interagency deliberations and comments on a draft document that could have been withheld under FOIA Exemption 5. In another instance of discretionary release to a FOIA requester, OSTP released a memorandum containing draft policy recommendations on a topic of interest to the public. The memorandum, which was deliberative in nature, could have been withheld in full under FOIA Exemption 5. After carefully and appropriately performing the foreseeable harm analysis, OSTP made the decision to discretionarily release these records so that the requesters could better understand the Government's final policy decisions.

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

N/A.

Other Initiatives:

- 9. If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here. If any of these initiatives are online, please provide links in your description.**

To ensure that all OSTP personnel are knowledgeable of the presumption of openness as the guiding principle underlying the President's FOIA Memorandum and the Attorney General's FOIA Guidelines, every OSTP employee receives a basic overview of relevant FOIA responsibilities and their roles and responsibilities as records custodians under the Federal Records Act (FRA) and the Freedom of Information Act (FOIA) as part of their orientation training upon beginning official duty with OSTP. In Fiscal Year 2015, following OIP's release of a new suite of training tools on March 13, 2015, OSTP integrated OIP's FOIA infographic into the agency's onboarding materials for new employees. OSTP now provides this one-page infographic as a resource on FOIA basics for all new employees immediately upon their arrival at OSTP.

OSTP and its dedicated open government team also continue to lead by example in supporting Federal open government and transparency efforts. OSTP's open government staff helps to coordinate the Administration's participation in the global Open Government Partnership (OGP), a platform where nearly 70 countries promote transparency, accountability and citizen engagement. In 2015, the OSTP team led interagency development of the third U.S. Open Government National Action Plan (NAP), which the U.S. Government unveiled at the (OGP) Summit in October 2015. The third NAP outlines more than 40 new or expanded initiatives to expand the Administration's commitment to an open and citizen-centered government, including commitments related to FOIA, open data, and proactive disclosure of information. Through the process of developing the third NAP, OSTP regularly engaged with stakeholders from across government as well as civil society on possible commitments for the NAP. Additionally, during Fiscal Year 2015, the OSTP open government staff continued to lead the Interagency Open Government Working Group, bringing together leaders from across Federal agencies to share best practices and strategies for increasing open government efforts, and expanded outreach to U.S. cities working on open government to identify ways to share information and practices.

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

The Attorney General's 2009 FOIA Guidelines emphasized that "[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.

Please answer the following questions to describe the steps your agency has taken to ensure that your management of your FOIA program is effective and efficient. You should also include any additional information that that describes your agency's efforts in this area.

Processing Procedures:

- 1. For Fiscal Year 2015, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2015 Annual FOIA Report. Please note here if your agency did not adjudicate any requests for expedited processing during Fiscal Year 2015.**

In Fiscal Year 2015, the average number of days for adjudicating requests for expedited processing was seven days.

- 2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.**

N/A

- 3. On July 2, 2015, OIP issued new guidance to agencies on the proper procedures to be used in the event an agency has a reason to inquire whether a requester is still interested in the processing of his or her request. Please confirm here that to the extent your agency may have had occasion to send a "still interested" inquiry, it has done so in accordance with the new guidelines for doing so, including affording requesters thirty working days to respond.**

OSTP rarely has occasion to send "still-interested" inquiries to requesters. Following OIP's release of new agency guidance on July 2, 2015, OSTP immediately reviewed and compared the new guidance to current agency practice to assess whether adjustments were needed and ensure the agency was in line with the OIP guidance going forward. OSTP limits its use of "still interested" inquiries to those situations where the agency has a reasonable basis to conclude that the requester's interest in the records may have changed. For example, when determining whether a "still-interested" inquiry is appropriate, OSTP considers factors such as the passage of time or a change in circumstance (such as proactive disclosure or other public release/posting of relevant material by the agency) that may have changed the FOIA requester's interest in the records. OSTP ensures that "still-interested" inquiries are not the first administrative response sent to the requester. Similarly, OSTP endeavors to use the requester's preferred method of communication and provides a reasonable amount of time (not less than 30 working days) for the requester to respond to the "still-interested" inquiry.

Requester Services:

- 4. Agency FOIA Requester Service Centers and FOIA Public Liaisons serve as the face and voice of an agency. In this capacity they provide a very important service for requesters, informing them about how the FOIA process works and providing specific details on the handling of their individual requests. The FOIA also calls on agency FOIA Requester Service Centers and FOIA Public Liaisons to assist requesters in resolving disputes. Please explain here any steps your agency has taken to strengthen these services to better inform requesters about their requests and to prevent or resolve FOIA disputes. If your agency has not taken any steps recently to strengthen these services, either because there has been no need to due to low demand or because these services are already robust, please briefly explain that that here.**

OSTP works to ensure that the FOIA process is transparent and embraces a spirit of cooperation when working with requesters. OSTP routinely engages with requesters regarding their requests and how to provide quality customer service when processing and responding to requests. In Fiscal Year 2015, OSTP continued to take steps to be more proactive in communicating with FOIA requesters at the beginning of the request process. OSTP FOIA professionals engage with requesters early to identify and prioritize the records that most interest them. Early engagement between FOIA professionals and requesters builds rapport while enhancing requesters' understanding of the agency's administrative process. This allows requesters to target the scope of their search and enable OSTP to locate the records sought in an efficient and expeditious manner. If OSTP identifies requests on similar topics, OSTP notifies the later requesters of the related former requests and offers to quickly send any previously released, responsive records to them. OSTP also regularly contacts FOIA requesters about their requests when the agency anticipates it will need to do rolling productions.

Other Initiatives:

- 5. If there are 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., please describe them here.**

Every FOIA request is logged in when received and reviewed for requests for expedited processing. The relevant employees who may have records are contacted expeditiously and notified when they must provide potentially responsive records. The records are sorted, copied, and reviewed for responsiveness and applicable exceptions. Responsive, non-exempt records are then provided to the requestor.

In Fiscal Year 2015, OSTP reviewed and updated its standard FOIA correspondence and revised templates to further incorporate plain language. OSTP also made further modifications to update its FOIA log to improve the collection of information necessary to process FOIA requests, coordinate responsibilities among FOIA professionals in OSTP, and monitor the progress of every FOIA request.

III. Steps Taken to Increase Proactive Disclosures

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

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

Posting Material:

- 1. Describe your agency's process or system for identifying "frequently requested" records required to be posted online under Subsection (a)(2) of the FOIA. For example, does your agency monitor its FOIA logs or is there some other system in place to identify these records for posting.**

OSTP is a small agency and does not frequently receive multiple requests for the same or similar records. Should records become "frequently requested," the FOIA professionals will conduct an analysis to determine whether those records may be posted online. Additionally, as described below, OSTP endeavors to proactively disclose records whenever possible.

- 2. Does your agency have a distinct process or system in place to identify records for proactive disclosure? If so, please describe your agency's process or system. Please note that this question is directed towards proactive disclosure of records that go beyond frequently requested records required to be posted under Subsection (a)(2) of the FOIA.**

Yes. OSTP continues to proactively post information on its website and frequently evaluates whether records that would be of public interest can be proactively disclosed. As new records, 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. OSTP's FOIA professionals work with OSTP's legislative affairs director to identify testimony and other communications to Congress that could be proactively disclosed. OSTP posts new material such as records, reports, and testimony to our website as they become available, usually soon after they are issued. FOIA professionals also work with OSTP's communications staff to review fact sheets, press releases, and other records that can be posted online at this address: <http://www.whitehouse.gov/administration/eop/ostp/pressroom>. OSTP has also provided links to many of the reports issued by the various committees and subgroups of the National Science and Technology Council (NSTC), an interagency council, and to the reports issued by the President's Council of Advisors on Science and Technology (PCAST), a federal advisory committee.

Additionally, OSTP has chosen to voluntarily release certain information there seems to be significant public interest in an issue. Openness, transparency, enhancing public understanding and participation, timeliness, and protection of the deliberative process are some of the factors considered in these posting determinations.

- 3. When making proactive disclosures of records, are your agency's FOIA professionals involved in coding the records for Section 508 compliance or otherwise preparing them for posting? If so, provide an estimate of how much time is involved for each of your FOIA professionals and your agency overall. Please note that this question is directed at the efforts of actually posting the records online once all disclosure determinations have been made. For example, efforts to load the records in your web content platform or making the releasable documents accessible in compliance with Section 508 of the Rehabilitation Act.**

N/A.

- 4. Has your agency encountered challenges that make it difficult to post records you otherwise would like to post?**

Yes.

- 5. If so, please briefly explain those challenges.**

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

- 6. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.**

OSTP proactively disclosed the following testimony, press releases, and other material at this webpage: <http://www.whitehouse.gov/administration/eop/ostp/pressroom>.

- 7. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If yes, please describe those efforts. For example, this can be done through social media or with the offering of e-mail subscription services.**

OSTP has a robust social media presence. Proactively disclosed records are frequently featured on the OSTP blog and social media accounts (e.g., Facebook, Twitter).

Other Initiatives:

- 8. If there are any other steps your agency has taken to increase proactive disclosures, please describe them here.**

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. OSTP continues to proactively post more information to its website and does so in ways that will be most useful to the public, as described further in Section IV.

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.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that that describes your agency's efforts in this area.

Making Material Posted Online More Useful:

1. 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? Steps can include soliciting feedback on the content and presentation of posted material, improving search capabilities on your agency website, posting material in open formats, making information available through mobile applications, providing explanatory material, etc.

Yes.

2. If yes, please provide examples of such improvements. If your agency is already posting material in its most useful format, please describe these efforts.

OSTP uses its website to offer the public a variety of information that might otherwise be requested through FOIA. As described above, 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. 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. Through these new media outlets, OSTP can reach a larger audience than is possible through a FOIA request or through posting in OSTP's FOIA library online.

OSTP also provides materials to the public to improve ease of use. For instance, 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 reference document. This FOIA

Reference Guide includes pertinent information such as the President's FOIA Memorandum, the Attorney General's FOIA Guidelines, the Chief of Staff's FOIA Memorandum, OSTP's FOIA regulations, 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.

Other Initiatives:

3. Did your agency successfully post all four quarterly reports for Fiscal Year 2015?

Yes. OSTP posted all four quarterly reports for Fiscal Year 2015.

4. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2015.

N/A.

5. Do your agency's FOIA professionals use e-mail or other electronic means to communicate with requesters whenever feasible? If yes, what are the different types of electronic means are utilized by your agency to communicate with requesters?

Yes. OSTP frequently communicates with requesters through e-mail whenever feasible and if it is the preferred means by the requester.

6. If your agency does not communicate electronically with requesters as a default, are there any limitations or restrictions for the use of such means? If yes, does your agency inform requesters about such limitations?

N/A.

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

The President's FOIA Memorandum and the Attorney General's 2009 FOIA Guidelines have emphasized the importance of improving timeliness in responding to requests. This section your Chief FOIA Officer Report 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 the numbers contained in the specified sections of your agency's 2015 Annual FOIA Report and, when applicable, your agency's 2014 Annual FOIA Report.

Simple Track: 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.

1. 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.

2. If so, for your agency overall in Fiscal Year 2015, 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 FY2015 was 19.2 days.

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2015 that were placed in your simple track.

76% of requests were placed in OSTP's simple track.

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

N/A.

Backlogs: 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. You should refer to these numbers from your Annual FOIA Reports for

both Fiscal Year 2014 and Fiscal Year 2015 when completing this section of your Chief FOIA Officer Report.

Backlogged Requests:

5. If your agency had a backlog of requests at the close of Fiscal Year 2015, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2014?

OSTP had seven backlogged requests at the close of Fiscal Year 2015. This reflects only a minor increase in the overall number of backlogged requests, from a total of two backlogged request at the close of Fiscal Year 2014 to a total of seven backlogged requests at the close of Fiscal Year 2015.

6. If not, explain why and describe the causes that contributed to your agency not being able reduce its backlog. When doing so, please also indicate if any of the following were contributing factors: an increase in the number of incoming requests; a loss of staff; an increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase. Any other reasons – please briefly describe or provide examples when possible.

In Fiscal Year 2015, OSTP saw an increase in both the number of incoming requests and the complexity of requests received. A number of complex cases involved large volumes of records and multiple agency equities, requiring additional time to process the records and consult with other agencies, as appropriate. OSTP made every effort to respond to the requesters and process complex requests in a timely manner. Improvements to timeliness in responding to pending FOIA requests and reductions in backlogs remains an ongoing agency priority. Though OSTP was not able to reduce its backlog, OSTP FOIA professionals processed and responded to more FOIA requests in Fiscal Year 2015 as compared to the number processed during Fiscal Year 2014.

7. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2015.

7% of requests were backlogged at the close of Fiscal Year 2015.

Backlogged Appeals:

8. If your agency had a backlog of appeals at the close of Fiscal Year 2015, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2014?

OSTP had no administrative appeals pending at the end of FY2015.

- 9. If not, explain why and describe the causes that contributed to your agency not being able to reduce backlog. When doing so, please also indicate if any of the following were contributing factors: an increase in the number of incoming requests; a loss of staff; an increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase. Any other reasons – please briefly describe or provide examples when possible.**

N/A.

- 10. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2015. If your agency did not receive any appeals in Fiscal Year 2015 and/or has no appeal backlog, please answer with “N/A.”**

N/A.

Status of Ten Oldest Requests, Appeals, and Consultations: 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 2014 and Fiscal Year 2015 when completing this section of your Chief FOIA Officer Report.

Ten Oldest Requests:

- 11. In Fiscal Year 2015, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2014 Annual FOIA Report?**

Yes, OSTP is pleased to report that it closed its ten oldest pending perfected requests from Fiscal Year 2014.

- 12. 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 2014 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.**

N/A.

- 13. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?**

OSTP did not close any such requests due to the request being withdrawn by the requester.

Ten Oldest Appeals:

14. In Fiscal Year 2015, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

OSTP had no administrative appeals pending at the close of Fiscal Year 2014.

15. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

N/A.

Ten Oldest Consultations:

16. In Fiscal Year 2015, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

OSTP had no pending consultations at the close of Fiscal Year 2014.

17. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

N/A.

Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans:

18. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2014.

OSTP's major obstacles in closing the ten oldest requests were the complexity of the requests, the volume of records requested, and limited staff resources.

19. If your agency was unable to close any of its ten oldest requests 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.

- 20. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2016.**

N/A.

Use of the FOIA’s Law Enforcement Exclusions

- 1. Did your agency invoke a statutory exclusion, 5 U.S.C. § 552(c)(1), (2), (3), during Fiscal Year 2015?**

No, OSTP did not invoke a FOIA statutory law enforcement exclusion during Fiscal Year 2015.

- 2. If so, please provide the total number of times exclusions were invoked.**

N/A.