VIA EMAIL

November 16, 2022

Office of Science and Technology Policy
Rachel Wallace, Deputy Counsel and Chief Operating Officer
1650 Pennsylvania Ave, NW
Washington, D.C., 20504
Email: ostpfoia@ostp.eop.gov

Re: OSTP FOIA # 22-080

Dear Ms. Wallace,

We are returning to this matter to remind the agency of its obligation to provide records responsive to the FOIA request we sent to the agency on June 20, 2022. OSTP provided an interim production on July 25, 2022 and stated at that time that CAIDP would receive documents in “a few weeks.” Sixteen weeks have passed and no additional documents have been received.

We are in receipt of the September 14, 2022 letter in which the agency states, for the first time, that the request is “overly broad,” and also that our FOIA request would require a search for records with “signature lines with the word AI.”

While we do not agree with either the legal authority cited, see, e.g., Gun Owners of America v. FBI (D.D.C. March 23, 2022), or the examples proffered, we will agree to narrow our request to “all agency communications and internal memos, possessed by the agency, concerning the AI Bill of Rights.” We are specifically not requesting publicly available records concerning the AI Bill of Rights.

We also remind the agency that the dispute over the scope of the request in category one would not explain the agency’s failure to process records in categories two and three of the original request. Those records should also be processed and released.

Thank you for your prompt attention to this matter.

Sincerely,

Marc Rotenberg, President
Rick Cai, Law Fellow
Peter Graham, Legal Extern
Center for AI and Digital Policy
Washington, DC