



May 15, 2019

Office of Science and Technology Policy
Attn: FOIA Officer
1650 Pennsylvania Ave, NW, Washington, DC 20504
Phone: (202) 456-4444
Fax: (202) 456-6021
Email: ostpfoia@ostp.eop.gov

RE: Tech Bias Story Sharing Tool

To Whom It May Concern

This letter is a request under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, submitted on behalf of the Electronic Frontier Foundation (EFF). We make this request to the Office of Science and Technology Policy (OSTP) as part of an ongoing effort to obtain government documents and make them widely available to the public.

On May 15, news outlets reported that the Trump administration launched a “Tech Bias Story Sharing Tool,” an online form for members of the public to report cases where they believe they have been censored on social media.¹ The URL for this form as of May 15 is <https://whitehouse.typeform.com/to/Jti9QH>. In the event that this URL ceases to be active during the processing of this request, you may find it archived at: <https://web.archive.org/web/20190515215303/https://whitehouse.typeform.com/to/Jti9QH>.

In this request, we will refer to this URL, the Tech Bias Story Sharing Tool, and its associated pages as the "Online Form."

We request the following records under FOIA:

- All data and reports submitted through and associated with the Online Form as of the receipt of this request. Please redact the first name, last name, citizenship status, age, telephone number, and email address;

¹ Kelly, Makenna. “White House launches tool to report censorship on Facebook, YouTube, Instagram, and Twitter.” The Verge, May 15, 2019. Available online: <https://www.theverge.com/2019/5/15/18626785/white-house-trump-censorsip-tool-twitter-instagram-facebook-conservative-bias-social-media>.

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- All communications received or sent by OSTP regarding the formulation, creation, management, maintenance, review, analysis of the Online Form or data received through the online form. This includes all proposals or policies regarding the Online Form;
- All agreements associated with the Online Form;
- All agreements, communications with the company typeform.com;
- All records associated with compliance with OMB Memorandum M-13-10 for the use of typeform.com, including any federal compatible terms of service agreements;
- All visitor analytics for the Online Form (e.g. number of unique visitors and other common analytics);
- All records that indicate how submissions to the Online Form are sorted, prioritized, categorized, or labeled by government staff;
- All communications with the media, social media companies, or other third parties regarding the Online Form; and
- All data sharing agreements for information gathered through the Online Form.

In accordance with FOIA, we request that where available and appropriate, responsive records are provided electronically in their native format (such as a CSV file), or as text-searchable PDFs, and that the parent/child relationship between records is preserved.

News Media Fee Waiver

EFF requests that it not be charged search or review fees because it qualifies as a representative of the news media, pursuant to FOIA and the applicable federal regulations, and has been recognized by the Department of Homeland Security and other federal agencies as such.

EFF maintains a frequently visited web site that reports on the latest developments of, and provides in-depth analysis on, a variety of civil liberties and intellectual property issues. EFF posts documents received in response to FOIA requests here, along with commentary. See: <https://www.eff.org/issues/foia>.

EFF's newsletter, EFFector, has been published since 1990 and is now sent to over 450,000 subscribers. An archive of past EFFectors is available at <https://www.eff.org/effector>. EFF also maintains a popular blog, Deeplinks, and has produced a series of white papers on diverse issues such as electronic voting, free speech, and intellectual property. EFF content related to the Freedom of Information Act and

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"Sunshine Week" is published annually by more than a dozen local newspapers nationwide.

Due to these extensive publication activities, EFF is a "representative of the news media" under the FOIA and agency regulations.

Public Interest Fee Waiver

EFF is entitled to a waiver of search and duplication fees because disclosure of the requested information is in the public interest within the meaning of FOIA.

EFF will make the information obtained under the FOIA available to the public and the media through its web site and newsletter, which highlight developments concerning privacy and civil liberties issues. Because EFF is a representative of the news media, EFF's request presumptively satisfies this criterion.

Finally, a fee waiver is appropriate here because EFF has no commercial interest in the disclosure of the requested records. EFF is a 501(c)(3) nonprofit organization, and will not derive commercial benefit from the information at issue here.

Thank you for your consideration of this request. As the FOIA provides, I will anticipate a determination with respect to the disclosure of requested records within 20 working days. If you have any questions or concerns, do not hesitate to contact me by phone at 415-436-9333 ext. 175 or by email at india@eff.org.

Best Regards,

India McKinney
Legislative Analyst
Electronic Frontier Foundation