



OFFICE *of* GOVERNMENT INFORMATION SERVICES

April 29, 2015 — Sent via email

[REDACTED]

Re: Case No.: 201500362  
NG: CM

NATIONAL  
ARCHIVES  
*and* RECORDS  
ADMINISTRATION

8601 ADELPHI ROAD  
OGIS  
COLLEGE PARK, MD  
20740-6001

web: [www.ogis.archives.gov](http://www.ogis.archives.gov)  
e-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
phone: 202-741-5770  
toll-free: 1-877-684-6448  
fax: 202-741-5769

Dear [REDACTED]:

This responds to your January 27, 2015 request for assistance from the Office of Government Information Services (OGIS), which we received via email. Your request for assistance pertains to your Freedom of Information Act (FOIA) requests to the Commodity Futures Trading Commission (CFTC).

Congress created OGIS to complement existing FOIA practice and procedure; we strive to work in conjunction with the existing request and appeal process. The goal is for OGIS to allow, whenever practical, the requester to exhaust his or her remedies within the agency, including the appeal process. OGIS has no investigatory or enforcement power, nor can we compel an agency to release documents. OGIS serves as the Federal FOIA Ombudsman and our jurisdiction is limited to assisting with the FOIA process.

You contacted OGIS regarding a series of submissions you made to CFTC. Specifically, you asked OGIS to make inquiries about a request and an appeal for which you have received no acknowledgment and/or response. Thank you for your interest in OGIS.

**Your request to CFTC**

In your submission to OGIS, you explained that on [REDACTED], you filed [REDACTED] FOIA requests via CFTC's web form. You received acknowledgment of [REDACTED] of these requests. I understand that you inquired about the remaining requests, and the agency informed you that a [REDACTED] request was considered a duplicate and administratively closed. You received no acknowledgment of the [REDACTED] request.

I discussed this matter with CFTC FOIA staff. CFTC affirmed that it did not receive the [REDACTED] request that you submitted on [REDACTED]. We discussed your concerns about the file numbers that you believe should have been assigned to your duplicate and unacknowledged requests ([REDACTED] and [REDACTED]), and CFTC explained to OGIS that those numbers were assigned to requests that were submitted by others at the same time you submitted yours. CFTC has explained to OGIS that you may wish to resubmit your [REDACTED] request to CFTC.



██████████  
April 29, 2015

Page 2 of 2

**Your Administrative Appeal**

You also asked OGIS to assist you with an administrative appeal to CFTC for which you received neither an acknowledgment letter nor a response (request No. ██████████). I discussed this matter with CFTC; the agency informed OGIS that it did receive your appeal, which it acknowledged on ██████████ and responded to on ██████████. For your reference, I have enclosed copies of CFTC's acknowledgment and response letters.

In cases such as this where an agency is firm in its position, there is little for OGIS to do beyond providing more information about the agency's actions. I hope that this information about your request and appeal is useful to you. Thank you for contacting OGIS; we will now consider this matter closed.

Sincerely,

Nikki Gramian, Acting Director  
Office of Government Information Services (OGIS)

cc: Joan Fina, CFTC

Enclosures