

Via Email: ovallj@sec.gov; foiapa@sec.gov

December 31, 2019

Mr. Robert Stebbins, General Counsel
Office of the General Counsel
Securities and Exchange Commission
100 F Street NE
Washington, D.C. 20002

Re: Freedom of Information Act (“FOIA”) Appeal on Request No. **20-00336-FOIA** (“Request”)

Dear Mr. Stebbins:

I am writing to you at the suggestion of FOIA Branch Manager Jeffery Ovall and on behalf of the Council of Institutional Investors (“CII” or “we”) with regard to the lack of response to the above Request, which we interpret as constructive denial of the Request. The Office of FOIA Services received the Request on November 14, 2019. The Request seeks records regarding SEC staff analysis and related materials pertaining to Table 2 on page 96 of Release No. 34-87457; File No. S7-22-19 (“Proposed Rule”).

CII is a nonprofit, nonpartisan association of U.S. public, corporate and union employee benefit funds, other employee benefit plans, state and local entities charged with investing public assets, and foundations and endowments with combined assets under management of approximately \$4 trillion. Our associate members include non-U.S. asset owners with about \$4 trillion in assets, and a range of asset managers with more than \$35 trillion in assets under management.¹

We wish to exercise the right to seek dispute resolution services from an SEC FOIA Public Liaison. We submit this appeal having not received a response to the Request after 30 business days from when the Office of FOIA Services received the Request.² We reiterate the Request’s petition for expedited service due to the urgent need to inform the public on a time sensitive matter and note the Proposed Rule’s February 3, 2020 comment deadline. I can be reached at glenn@cii.org or 202-261-7097.

Sincerely,



Glenn Davis
Director of Research

CC: Jeffery Ovall, FOIA Branch Manager, Office of FOIA Services

¹ For more information about the Council of Institutional Investors (“CII”), including its board and members, please visit CII’s website at <http://www.cii.org>.

² Informed by a December 30 phone call to the Office of FOIA Services, we understand that “business days” are days on which the federal government is open. Taking into account all federal holidays since November 14 including December 24, as established by the President’s December 17 Executive Order, we understand December 31 to be “after thirty business days from when [the Office of FOIA Services] received the request.”