



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2736

Office of FOIA Services

October 18, 2012

Ms. Amy Bennett, Assistant Director
OpenTheGovernment.org
1100 G Street, NW, Suite 500
Washington, DC 20005

RE: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. 13-00420-FOIA

Dear Ms. Bennett:

This letter is our final response to your request dated October 5, 2012, for access to the report submitted by the SEC to the Archivist and the Director of the Office of Management and Budget pursuant to the November 28, 2011 Presidential Memorandum on Managing Government Records. Reference is also made to our interim response dated October 11, 2012, in which we addressed your fee waiver request.

Access is granted to the enclosed report, except for the name of an SEC staff member and that person's e-mail address, which are exempt from disclosure under 5 U.S.C. § 552(b)(6), 17 CFR § 200.80(b)(6). The release of this information could constitute a clearly unwarranted invasion of personal privacy. Also, the release of this information could subject the employee named in the report to harassment from the public in the performance of his/her official duties.

I am the deciding official with regard to this adverse determination. You have the right to appeal our decision, to our General Counsel under 5 U.S.C. § 552(a)(6), 17 CFR § 200.80(d)(5) and (6). Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify the records at issue. The appeal may include facts and authorities you consider appropriate.

Send your appeal to the Office of FOIA Services of the Securities and Exchange Commission located at Station Place, 100 F Street NE, Mail Stop 2736, Washington, D.C. 20549, or

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deliver it to Room 1120 at that address. Also, send a copy to the SEC Office of the General Counsel, Mail Stop 9612, or deliver it to Room 1120 at the Station Place address.

Finally, no fees have been assessed for our processing of this request. Thus, your fee waiver request is moot. If you have any questions, please contact Ms. Felecia Taylor of my staff at taylorf@sec.gov or (202) 551-8349. You may also contact me at henshalld@sec.gov or (202) 551-8316.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Henshall". The signature is written in a cursive style with a large, sweeping initial "D".

Dave Henshall
FOIA Branch Chief

Enclosure