

Exhibit D

P.O. Box 7324
Falls Church, VA 22040
703-915-4241

January 22, 2015

Freedom of Information Act Appeal
Office of the General Counsel
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, DC 20580
FAX: (202) 326-2477

FOIA Appeal, FOIA-2015-00184

Dear Administrator,

This is an appeal under the Freedom of Information Act, 5 U.S.C. § 552, in the matter FOIA-2015-00184.

On November 13, 2014 I made a FOIA request to your agency for records describing standards, guidelines, or criteria for what conduct or omission constitutes an unfair act or practice in or affecting commerce authorizing FTC action, and criteria for bringing such an action, under 15 USC section 45, related to cybersecurity. On December 24, 2014, your agency denied my request on the grounds that all responsive records are exempt for the FOIA's disclosure requirements. Copies of my request and the denial are enclosed.

The information that I requested is releasable under FOIA and may not validly be protected by any of the Act's exemptions. No documents were provided, even in redacted form, and the FOIA requires agencies to provide requestors with any reasonably segregable, non-exempt portions of the records that are responsive to FOIA. See, e.g., Department of Justice Freedom of Information Act Guide (Mar. 2007), at 113-19.

Moreover, disclosure of appropriate standards and guidelines would further the public interest by fostering additional implementation of such guidelines by appropriate entities. Absent such standards and guidelines, entities are left to divine requirements from ad hoc agency action.

Thank you for your assistance.

Very truly yours,



Philip R. Reiting