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March 7, 2018

A Roy Lavik  
Inspector General  
Commodity Futures Trading Commission  
Office of the Inspector General  
Three Lafayette Centre  
1155 21st Street, NW  
Washington, DC 20581

Dear Inspector General Lavik

A tweet posted February 27 under the name of “Chris Giancarlo” memorializes a meeting including Commodity Futures Trading Commission (CFTGC) Chair Christopher Giancarlo, CFTC Commissioner Brian Quintenz, Securities and Exchange Commission (SEC) Chair Jay Clayton, and SEC Commissioner Hester Peirce.

**Chris Giancarlo** @giancarloCFTC Feb 27

Chris Giancarlo Retweeted CFTC

Earlier today @CFTC staff, @CFTCquintenz and I hosted Chairman Clayton, @HesterPeirce & SEC colleagues @SEC\_News to discuss better harmonizing Dodd-Frank regs & rules. We're off to great start!

We believe this gathering constitutes a meeting of the CFTC as defined under 5 U.S. Code § 552b (Government in Sunshine Act) and is therefore subject to notice, public participation, and publication of meeting records.

We are not aware of any such notice, nor of any records. It does not appear that any of the Democratic Commissioners were either invited or made aware of the meeting other than through the tweet. We ask the Inspector General to investigate whether this constitutes a violation of the Sunshine Act. In partial remedy of any such violation, we ask the following:

1. Publication of all of the participants in this meeting, including staff.
2. Publication of all communications by all participants, including staff, including emails and memorialized telephone calls in advance of the meeting describing how the participants determined who would and who would not participate.
3. Publication of all records made during and after this meeting by all participants.

4. A specific explanation by Chair Giancarlo of what it means to “better harmonize Dodd-Frank regs & rules.” Further, an explanation of what it means that the assembly is “off to a great start.” Further, an explanation of anticipated next steps by this assembly.

The Sunshine Act provides that any citizen may seek injunctive relief for violations through District Court. We believe that an investigation by the Inspector General may be an efficient vehicle at this juncture.

Sincerely,

Lisa Gilbert,  
Vice President of Legislative Affairs  
Public Citizen

Tyson Slocum  
Energy Program Director  
Public Citizen

