



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

IN REPLY REFER TO:  
7202.4-OS-2016-00168

May 27, 2016

Via email: [dm@eff.org](mailto:dm@eff.org)

Mr. Dave Maass  
Electronic Frontier Foundation  
815 Eddy St  
San Francisco, CA 94109

Dear Mr. Maass:

On February 5, 2016, you filed a Freedom of Information Act (FOIA) request seeking the following:

1. All agency records containing criteria or metrics for receiving a cash incentive under Section 6 of the Reducing Over-Classification Act from the period Oct. 7, 2010 through February 1, 2016, including definitions or explanations or suggested definitions or explanations of the criteria or metrics for assessing “consistent and proper classification of information,” regardless of whether used or proposed by your agency.
2. Documents that show the number of cash incentives awarded, the amount and date for each cash incentive, and the total amount allocated for cash awards related to Section 6 of the Reducing Over-Classification Act for the period Oct. 7, 2010 through February 1, 2016.
3. All documents describing the justification for each cash incentive awarded under the Reducing Over-Classification Act for the period Oct. 7, 2010 through February 1, 2016.
4. All documents used to promote the Reducing Over-Classification Act cash incentive program to employees for the period Oct. 7, 2010 through February 1, 2016.
5. All reports outlining, evaluating, or otherwise documenting the efficacy of cash incentive programs under Section 6 of the Reducing Over-Classification Act for the period Oct. 7, 2010 through February 1, 2016.

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Your request was received in the Office of the Secretary FOIA office on April 14, 2016, and assigned control number **OS-2016-00168**. Please cite this number in any future correspondence or communications with the Office of the Secretary regarding your request.

As a matter of policy, the Department of the Interior does not bill requesters for FOIA fees incurred in processing requests when their fees do not exceed \$50.00, because the cost of collection would be greater than the fee collected. (See 43 C.F.R. §2.39, 2.49(a)(1)).

We are writing to respond to your request on behalf of the Office of the Secretary. After a search reasonably calculated to uncover all relevant documents, it has been determined that the Office of the Secretary has no records responsive to your request.

### **Appeals**

Under law, we are required to advise you of your appeal rights when informing you that we believe that we have no records responsive to your FOIA request. Therefore, if you have additional information (not provided in your request letter) that would lead you to believe that there are records in files maintained by the Office of the Secretary that were not located in our search for records responsive to your request, you may file a FOIA appeal by writing to the Department's FOIA Appeals Officer. The FOIA Appeals Officer must receive your FOIA appeal no later than 30 workdays from the date of this final letter responding to your FOIA request. Appeals arriving or delivered after 5 PM Eastern time, Monday through Friday, will be deemed received on the next workday. Your appeal must be in writing and addressed to:

FOIA Appeals Officer  
U.S. Department of the Interior  
1849 C Street, N.W., MS 6556  
Washington, D.C. 20240  
Fax: 202-208-6677  
E-mail: [FOIA.Appeals@sol.doi.gov](mailto:FOIA.Appeals@sol.doi.gov)

You must include with your appeal copies of all correspondence between you and the Office of the Secretary concerning your FOIA request, including a copy of your original FOIA request and the denial letter. Failure to include this documentation with your appeal will result in the Department's rejection of your appeal. All communications concerning your appeal, including envelopes, should be clearly marked with the words "FREEDOM OF INFORMATION APPEAL." Your letter should include in as much detail as possible any reason(s) why you believe the Office of the Secretary's response is in error. For more information on FOIA administrative Appeals, you may review Subpart H of the Department's FOIA regulations, 43 C.F.R. Part 2, Subpart H.

There is no fee for the processing of this request. This completes the Office of the Secretary's response to your request.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S. 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the

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FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS in any of the following ways:

Office of Government Information Services (OGIS)  
National Archives and Records Administration  
8601 Adelphi Road  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Web: <https://ogis.archives.gov>  
Telephone: 202-741-5770  
Facsimile: 202-741-5769  
Toll-free: 1-877-684-6448

If you have any questions about our response to your request, you may contact Joshua Portner by phone at 202-513-0765, by fax at 202-219-2374, by email at [os\\_foia@ios.doi.gov](mailto:os_foia@ios.doi.gov), or by mail at U.S. Department of the Interior, 1849 C Street, NW, MS-7328, Washington, D.C. 20240.

Sincerely,

Clarice Julka  
Office of the Secretary  
FOIA Officer