



DEPARTMENT OF THE TREASURY
WASHINGTON, DC

February 4, 2019

RE: FOIA 2016-02-054

Mr. David Maass
Electronic Frontier Foundation
815 Eddy Street
San Francisco, CA 94115
Email: dm@eff.org

VIA EMAIL

Dear Mr. Maass:

This letter is in response to your Freedom of Information Act (FOIA) request to the U.S. Department of the Treasury, dated February 4, 2016. You requested “Section 6 of the Reducing Over-Classification Act, P.L. 111-258 States:

- (a) INCENTIVES FOR ACCURATE CLASSIFICATIONS – in making cash awards under chapter 45 of title 5, United States Code, the President or the Head of an Executive agency with an officer or employee who is authorized to make original classification decisions or derivative classification decisions may consider such officer’s or employee’s consistent and proper classification of information.

In connection with this provision we request:

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 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 the 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, 2016 through February 1, 2016.”

Your request has been processed under the provisions of the FOIA, 5 U.S.C. § 552. A reasonable search was conducted for records responsive to your request. A search for records resulted in no documents being located in response to your request.

There are no fees assessed at this time since allowable charges fell below \$25.

Since Treasury's response constitutes an adverse action, you have the right to appeal this determination within 90 days from the date of this letter. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision. Your appeal must be in writing, signed by you or your representative, and should contain the rationale for your appeal. Please also cite the FOIA reference number noted above. Your appeal should be addressed to:

Ryan Law, Deputy Assistant Secretary for Privacy, Transparency and Records
FOIA Appeal
FOIA and Transparency
Privacy, Transparency, and Records
Department of the Treasury
1500 Pennsylvania Ave., N.W.
Washington, D.C. 20220

If you submit your appeal by mail, clearly mark the letter and the envelope with the words "Freedom of Information Act Appeal." Your appeal must be postmarked or electronically transmitted within **90 days** from the date of this letter.

If you would like to discuss this response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact Paul Levitan, the FOIA Public Liaison, for assistance via email at FOIAPL@treasury.gov, or via phone at (202) 622-8098.

A FOIA Public Liaison is a supervisory official to whom FOIA requesters can raise questions or concerns about the agency's FOIA process. FOIA Public Liaisons can explain agency records, suggest agency offices that may have responsive records, provide an estimated date of completion, and discuss how to reformulate and/or reduce the scope of requests in order to minimize fees and expedite processing time.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may contact the agency directly at the following address, emails, fax or telephone numbers:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001
Email: ogis@nara.gov
Telephone: 202-741-5770
Toll free: 1-877-684-6448
Fax: 202-741-5769

Please note that contacting any agency official (including the FOIA analyst, FOIA Requester Service Center, FOIA Public Liaison) and/or OGIS is not an alternative to filing an administrative appeal and does not stop the 90-day appeal clock.

You may reach me via telephone at 202-622-0930, extension 2; or via email at FOIA@treasury.gov. Please reference the FOIA number at the top of this letter when contacting our office about this request.

Sincerely,

Paul Levitan
Director, FOIA and Transparency
Privacy, Transparency, and Records (PTR)