

# DEPARTMENT OF THE TREASURY WASHINGTON, D.C. 20220

August 30, 2010

John Althen Judicial Watch 425 Third Street, N.W., Suite 800 Washington, DC. 20024

Re: FOIA 2010-07-038

Dear Mr. Althen,

This is in response to your Freedom of Information Act (FOIA) request dated July 20, 2010.

Enclosed are 8 pages found to be responsive to your request. Some information has been deleted in accordance with subsection (b)(6) of the FOIA, 5 U.S.C. 552 exempts from disclosure "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

This is a partial denial of your request. You may appeal this decision within 35 days from the date of this letter. Your appeal must be in writing, signed by you, and should be addressed to:

Freedom of Information Appeal Disclosure Services, DO Department of the Treasury Washington, D.C. 20220

The appeal should specify the date of your initial request and the date of this letter. If possible, please provide a copy of your request and this letter.

No fees were incurred in processing your request.

I regret this response is not made under more favorable terms of your request.

Sincerely,

Kristina A. Kaptur

Director, Office of Human Resources

for Departmental Offices



# DEPARTMENT OF THE TREASURY DEPARTMENTAL OFFICES



June 8, 2009

Dear Mr. Feinberg:

Welcome to the Department of the Treasury, Office of Financial Stability. Congratulations on your selection for the position of Special Master of Executive Compensation, GS-0301-15, Step 01, effective June 9, 2009. Your salary will be \$120,830 per year. You are being hired under a Schedule A Appointment.

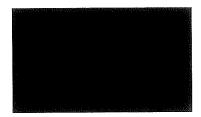
You will occupy a position that requires a personnel background investigation. Continued employment is subject to receipt of satisfactory results of this investigation. Orientation will begin promptly after your arrival. You will need to bring two forms of identification with you to orientation. One must be a picture ID such as drivers license, passport, or military service card. The second form of identification must be a social security card, birth certificate, or school badge.

Before reporting for orientation, please access the Departmental Offices New Employee Orientation website, <a href="https://arc.publicdebt.treas.gov/orientation/fsdoorientation.htm">https://arc.publicdebt.treas.gov/orientation/fsdoorientation.htm</a>, to complete all the necessary forms. It is important that you read all the instructions and bring these completed forms with you on your first day of work. If you do not have personal access to an Internet connected personal computer and printer, please note that most public libraries offer these services.

If you have any questions regarding this letter, please contact me at



Sincerely,



## KENNETH R. FEINBERG

Office:	
Email:	

Mr. Feinberg was appointed by the Attorney General of the United States to serve as the Special Master of the Federal September 11th Victim Compensation Fund of 2001. In this capacity, he developed and promulgated the Regulations governing the administration of the Fund and administered all aspects of the program, including evaluating applications, determining appropriate compensation and disseminating awards.

Mr. Feinberg was the Fund Administrator responsible for the design, implementation and administration of the claims process for the Hokie Spirit Memorial Fund following the tragic shootings at Virginia Tech University.

Mr. Feinberg was also retained by Liberty Mutual Insurance Company and Zurich Insurance Company to design, implement and administer an Alternative Dispute Resolution Program for resolving insurance claims arising out of Hurricane Katrina and other hurricanes in the Gulf region.

Mr. Feinberg was appointed as Receiver in New York State Common Retirement Fund v. 711 Third Avenue Associates (New York Supreme Court Index No. 114250/97) to collect and receive all rents and profits of the mortgaged property and to enter into leases and terminate or continue any contracts necessary to protect the mortgaged properties.

Mr. Feinberg was appointed in June of 2007 as the Distribution Agent In Re: United States Securities and Exchange Commission v. American International Group, Inc., responsible for the preparation and implementation of a Plan for the distribution of a Fair Fund of \$800 million to eligible claimants. He has also served as Fund Administrator in other prominent settlements including: In Re: United States of America v. Computer Associates International, Inc. (responsible for the design and implementation of a restitution fund of \$275 million); In Re: International Air Transportation Surcharge Antitrust Litigation (responsible for the design and administration of a \$200 million fund); In Re: Zyprexa Product Liability Litigation (a \$700 million settlement fund); In Re: Latino Officers Association City of New York, Inc., et al., v The City of New York, et al. (a \$17 million settlement fund).

Mr. Feinberg is an attorney and one of the nation's leading experts in mediation and alternative dispute resolution. He is the managing partner of Feinberg Rozen, LLP. Mr. Feinberg received his B.A. *cum laude* from the University of Massachusetts in 1967 and his J.D. from New York University School of Law in 1970, where he was Articles Editor of the *Law Review*. He was a Law Clerk for Chief Judge Stanley H. Fuld, New York State Court of Appeals from 1970 to 1972; Assistant United States Attorney, Southern District of New York from 1972 to 1975; Special Counsel, United States Senate Committee on the Judiciary from 1975 to 1980; Administrative Assistant to Senator Edward M. Kennedy from 1977 to 1979; Partner at Kaye, Scholer, Fierman, Hays &

Handler from 1980 to 1993; and founded The Feinberg Group, LLP in 1993.

Mr. Feinberg has also been a Court-Appointed Special Settlement Master, mediator and arbitrator in thousands of disputes. He was also one of three arbitrators selected to determine the fair market value of the original Zapruder film of the Kennedy assassination and was one of two arbitrators selected to determine the allocation of legal fees in the Holocaust slave labor litigation.

Mr. Feinberg was a member of the Presidential Advisory Commission on Human Radiation Experiments from 1994 to 1998; the Presidential Commission on Catastrophic Nuclear Accidents from 1989 to 1990 and the Carnegie Commission Task Force on Science and Technology in Judicial and Regulatory Decision Making from 1989 to 1993. He is currently a member of the National Judicial Panel, Center for Public Resources, and previously chaired the American Bar Association Special Committee on Mass Torts from 1988 to 1989. He is also a national arbitrator for the American Arbitration Association.

Mr. Feinberg is currently Chairman Elect of the Board of the RAND Institute of Civil Justice, is Vice-Chairman of the Board of Human Rights First and is a member of the Board of the Bazelon Center for Mental Health Law.

Mr. Feinberg has had a distinguished teaching career as Adjunct Professor of Law at the Georgetown University Law Center, University of Pennsylvania Law School, New York University School of Law, the University of Virginia Law School and Columbia Law School. He has also taught as a visiting lecturer at UCLA Law School, Vanderbilt Law School, New York Law School and Duke Law School.

Mr. Feinberg is currently President of the Washington National Opera.

Mr. Feinberg was designated "Lawyer of the Year" by the *National Law Journal* (December, 2004). He is listed in "Profiles in Power: The 100 Most Influential Lawyers in America" (*National Law Journal*, May 2, 1988; March 25, 1991; April 4, 1994; June 12, 2000; June 19, 2006). He is the author of numerous articles and essays on mediation, mass torts and other matters and is the author of, <u>What is Life Worth? The Unprecedented Effort to Compensate the Victims of 9/11</u> (Public Affairs 2005).





Standard Form 50 Rev 7/91

## NOTIFICATION OF PERSONNEL ACTION

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#### POSITION DESCRIPTION

## SPECIAL MASTER, EXECUTIVE COMPENSATION, GS-0501-15

SETID	DO001	10B CODE		DATE	06/05/2009	OPM CERT#						
PAY PLAN	GS	SERIES	0501	GRADE	15	PAY BASIS	Per Annum	FUNC CLASS	NA			
WORK TITLE	SPECIAL MASTER, EXECUTIVE COMPENSATION											
SPVY LEVEL	Supv/Mgr	POSITION SENSITIVITY	NCrit Sens	LEO		MEDICAL CHECK REO.	No	BUS CODE	8888			
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### **MAJOR DUTIES**

Special Master, Executive Compensation GS-0501-15

#### Introduction:

The subject position is the Special Master, Executive Compensation and the incumbent reports to the Assistant Secretary, Office of Financial Stability (OFS), Department of the Treasury. OFS was created by the Emergency Economic Stabilization Act (EESA) of 2008 to improve financial market liquidity and promote market stability. The operations include management of assets and administration of up to \$700 billion.

The focus of this position relates to managing executive compensation requirements applicable to Federal National Mortgage Association (FNMA), Federal Home Loan Mortgage Corporation (FHLMC) and participants in the Troubled Asset Relief Program (TARP) as required in Section 111 of EESA and amended by the American Recovery and Reinvestment Act of 2009 (ARRA). These standards include:(1) limitations on senior executives' compensation that exclude incentives for taking unnecessary and excessive risks; (2) recovery of bonuses, retention awards or incentive compensation paid to certain senior executives and highly-compensated employees that were based on statements of earnings, revenues, gains, or other criteria that are proven to be materially inaccurate; (3) prohibition on golden parachute payments to certain senior executives and highly-compensated employees; and (4) prohibition on the payment or accrual of any bonus, retention award, or incentive compensation to certain highly-compensated employees during the period in which any obligation arising from financial assistance provided under the TARP remains outstanding.

The incumbent supervises a staff in conducting highly complex and or sensitive financial examinations and reviews in accordance with a consistent framework across the Financial Stability Program business areas and the development, implementation, and measurement of appropriate executive compensation strategy effectiveness.

Major Duties and Responsibilities:

Manages and directs staff of the Office of the Special Master within OFS in carrying out requirements of executive compensation regulations under TARP, as well as for FNMA and FHLMC.

Manages and reviews submissions regarding executive compensation matters, consistent with executive compensation regulations.

Meets with company representatives as necessary to resolve compensation matters.

Coordinates the review of appeals from decisions of the Special Master regarding compensation matters.