



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, <https://arc.publicdebt.treas.gov/orientation/fsdoorientation.htm>, 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 [REDACTED]

Sincerely,



KENNETH R. FEINBERG

Office: [REDACTED]

Email: [REDACTED]

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, What is Life Worth? The Unprecedented Effort to Compensate the Victims of 9/11 (Public Affairs 2005).

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) FEINBERG, KENNETH R				2. Social Security Number [REDACTED]		3. Date of Birth [REDACTED]		4. Effective Date 06-09-2009				
FIRST ACTION					SECOND ACTION							
5-A. Code 171		5-B. Nature of Action EXC APPT NTE 06/08/10			6-A. Code		6-B. Nature of Action					
5-C. Code XZM		5-D. Legal Authority SCH A 213 3105 H			6-C. Code		6-D. Legal Authority					
5-E. Code		5-F. Legal Authority			6-E. Code		6-F. Legal Authority					
7. FROM: Position Title and Number					15. TO: Position Title and Number SPECIAL MASTER, EXECUTIVE COMPENSATION 65556078 09475B							
8. Pay Plan		9. Occ. Code	10. Grade or Level	11. Step or Rate	12. Total Salary .00	13. Pay Basis	16. Pay Plan GS	17. Occ. Code 0501	18. Grade or Level 15	19. Step or Rate 01	20. Total Salary/Award \$120,830.00	21. Pay Basis PA
12A. Basic Pay .00		12B. Locality Adj. .00	12C. Adj. Basic Pay .00	12D. Other Pay .00	20A. Basic Pay \$98,156.00		20B. Locality Adj. \$22,674.00	20C. Adj. Basic Pay \$120,830.00	20D. Other Pay .00			
14. Name and Location of Position's Organization					22. Name and Location of Position's Organization DEPARTMENTAL OFFICES UNDER SECY DOMESTIC FINANCE ASST SECRETARY FIN STABILITY TR 910604000000000000 PP 12 2009							
EMPLOYEE DATA												
23. Veterans Preference					24. Tenure			25. Agency Use		26. Veterans Preference for RIF		
1	1-None	3-10 Point/Disability		5-10 Point/Other	0	0-None	2-Conditional			YES	X	NO
	2-5 Point	4-10 Point/Compensable		6-10 Point/Compensable/30%		1-Permanent	3-Indefinite					
27. FEGLI					28. Annuity Indicator			29. Pay Rate Determinant				
A0	INELIGIBLE-EXCLUDED BY LAW OR REG				9	NOT APPLICABLE		0				
30. Retirement Plan			31. Service Comp. Date (Leave)		32. Work Schedule			33. Part-Time Hours Per Biweekly Pay Period				
2	FICA		06-09-2009		I	INTERMITTENT						
POSITION DATA												
34. Position Occupied				35. FLSA Category		36. Appropriation Code			37. Bargaining Unit Status			
2	1-Competitive Service	3-SES General		E	E-Exempt				8838			
	2-Excepted Service	4-SES Career Reserved		N	Nonexempt							
38. Duty Station Code			39. Duty Station (City-County-State or Overseas Location)									
11-0010-001			WASHINGTON DIST OF COLUMBIA DC									
40. Agency Data		41.		42.		43.		44.				
45. Remarks INELIGIBLE FOR LEAVE. APPOINTMENT AFFIDAVIT EXECUTED 06-09-2009. REASON FOR TEMPORARY APPOINTMENT: CRITICAL HIRING NEED. [REDACTED] CREDITABLE MILITARY SERVICE: 00 YRS. 00 MOS. PREVIOUS RETIREMENT COVERAGE: NEVER COVERED. INELIGIBLE FOR HEALTH BENEFITS.												
46. Employing Department or Agency DEPARTMENT OF THE TREASURY						50. Signature/Authentication and Title of Approving Official [REDACTED]						
47. Agency Code TR 91		48. Personnel Office ID 2731		49. Approval Date 06-08-2009								

Editions Prior to 7/91 Are Not Usable After 6/30/93
 NSN 7540-01-333-6236

2 - OFF Copy - Long-Term Record -- DO NOT DESTROY

REQUEST FOR PERSONNEL ACTION

U.S. Office of Personnel Management
Guide to Processing Personnel Actions, Chapter 4

PART A - Requesting Office (Also complete Part B, Items 1, 7, 22, 32, 33, 36 and 39)

1. Actions Requested Hire	2. Request Number
3. For Additional Information Call (Name and Telephone Number)	4. Proposed Eff. Date 06-09-2009
5. Action Requested By (Typed Name, Title, Signature, and Request Date)	6. Action Authorized By (Typed Name, Title, Signature, and Date)

PART B - For Preparation of SF 50 (Use only codes in The Guide to Personnel Data Standards. Show all dates in month-day-year order.)

1. Name (Last, First, Middle) Feinberg, Kenneth R	2. Social Security Number	3. Date of Birth	4. Effective Date 06-09-2009
---	---------------------------	------------------	--

FIRST ACTION **SECOND ACTION**

5-A. Code 171	5-B. Nature of Action Exc Appt NTE	6-A. Code	6-B. Nature of Action
5-C. Code XZM	5-D. Legal Authority SCH A, 213.3105(h)	6-C. Code	6-D. Legal Authority
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority

7. FROM: Position Title and Number	15. TO: Position Title and Number SPECIAL MASTER, EXECUTIVE COMPENSATION Position: 65556078
------------------------------------	---

8. Pay Plan	9. Occ. CD	10. Grd/Lvl	11. Step/Rate	12. Tot. Salary	13. Pay Basis	16. Pay Plan	17. Occ. CD	18. Grd/Lvl	19. Step/Rate	20. Tot. Salary/Award	21. Pay Basis
						GS	0501	15	01	\$120,830.00	PA
12A. Basic Pay				12B. Locality Adj.		12C. Adj. Basic Pay		12D. Other Pay			
						\$98,156.00		\$22,674.00		\$120,830.00	

14. Name and Location of Position's Organization	22. Name and Location of Position's Organization DEPARTMENTAL OFFICES Asst Secretary Fin Stability MAIN TREASURY BUILDING REPORTS TO 9106 04 0000 00 00 00 00
--	---

EMPLOYEE DATA

23. Veterans Preference				24. Tenure		25. Agency Use		26. Veterans Preference for RIF			
1-None		3-10 Point/Disability		5-10 Point/Other		0-None		2-Conditional			
2-5 Point		4-10 Point/Compensable		6-10 Point/Compensable/30%		1-Permanent		3-Indefinite			
1						0		YES			
								X NO			
27. FEGLI				28. Annuitant Indicator				29. Pay Rate Determinant			
A0 Employee Excluded from Coverage by Law/Reg				9 Not Applicable				0 0-Regular Rate			
30. Retirement Plan			31. Service Comp. Date (Leave)			32. Work Schedule			33. Part-Time Hours Per Biweekly Pay Period		
2			06-09-2009			I Intermittent					

POSITION DATA

34. Position Occupied			35. FLSA Category			36. Appropriation Code			37. Bargaining Unit Status				
2 2-Excepted Service 4-SES Career Reserved			E E-Exempt N-Nonexempt										
38. Duty Station Code				39. Duty Station (City-County-State or Overseas Location)									
110010001				WASHINGTON Dist Columbia DC USA									
40. Agency Data		41.		42.		43.		44.					
45. Edu. Lvl.		46. Yr. Desc. Att'd		47. Acad. Discipl.		48. Func. Class		49. Citizenship		50. Veterans Status		51. Supervisory Status	
						00		1 1-USA 8-Other		X Non Vet		2 Supv/Mgr	

PART C - Reviews and Approvals (Not to be used by requesting office.)

1. Office/Function	Initials/Signature	Date	1. Office/Function	Initials/Signature	Date
A.		6/9/09	D.		
B.		6/8/09	E.		
C.			F.		

2. Approval: I certify that the information entered on this form is accurate and the proposed action is in compliance with statutory and regulatory requirements. Approved Date: **6/8/09**

CONTINUED ON REVERSE SIDE OVER

Input To Payroll/
Personnel System
By: Doge AP12
6/17/09 VIP

Name: Feinberg, Kenneth R

PAR Number:

PART D - Remarks by Requesting Office

(Note to Supervisors: Do you know of additional or conflicting reasons for the employee's resignation/retirement? If "YES", please state these facts on a separate sheet and attach to SF52).

YES NO

New Position

PART E - Employee Resignation/Retirement

Privacy Act Statement

You are requested to furnish a specific reason for your resignation or retirement and a forwarding address. Your reason may be considered in any future decision regarding your re-employment in the Federal service and may also be used to determine your eligibility for unemployment compensation benefits. Your forwarding address will be used primarily to mail you copies of any documents you should have or any pay or compensation to which you are entitled.

regulations with regard to employment of individuals in the Federal service and their records, while section 8506 requires agencies to furnish the specific reason for termination of Federal service to the Secretary of Labor or a State agency in connection with administration of unemployment compensation programs.

The furnishing of this information is voluntary; however, failure to provide it may result in your not receiving: (1) your copies of those documents you should have; (2) pay or other compensation due you; (3) any unemployment compensation benefits to which you may be entitled.

This information is requested under authority of sections 301, 3301, and 8506 of title 5, U.S. Code. Sections 301 and 3301 authorize OPM and agencies to issue

1. Reasons for Resignation/Retirement (NOTE: Your reasons are used in determining possible unemployment benefits. Please be specific and avoid generalizations. Your resignation/retirement is effective at the end of the day - midnight - unless you specify otherwise.)

2. Effective Date	3. Your Signature	4. Date Signed	5. Forwarding Address (Number, Street, City, State, ZIP Code)
-------------------	-------------------	----------------	---

PART F - Remarks for SF 50

803
804
M01
M06
M10
M39
M40

- INELIGIBLE FOR HEALTH BENEFITS.
- INELIGIBLE FOR LEAVE.
- APPOINTMENT AFFIDAVIT EXECUTED 06-09-2009.
- REASON FOR TEMPORARY APPOINTMENT: CRITICAL HIRING NEED.
- [REDACTED]
- CREDITABLE MILITARY SERVICE: 00 YRS. 00 MOS.
- PREVIOUS RETIREMENT COVERAGE: NEVER COVERED.

POSITION DESCRIPTION (Please Read Instructions on the Back)

1 Agency Position No. [Redacted]

2. Reason for Submission <input type="checkbox"/> Redescription <input checked="" type="checkbox"/> New <input type="checkbox"/> Reestablishment <input type="checkbox"/> Other Explanation (Show any positions replaced)	3. Service <input checked="" type="checkbox"/> Hdqtrs <input type="checkbox"/> Field	4. Employing Office Location Washington, DC	5. Duty Station Washington, DC	6. OPM Certification No.
7. Fair Labor Standards Act <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Nonexempt		8. Financial Statements Required <input type="checkbox"/> Executive Personnel Financial Disclosure <input checked="" type="checkbox"/> Employment and Financial Interest		9. Subject to IA Action <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10. Position Status <input type="checkbox"/> Competitive <input checked="" type="checkbox"/> Excepted (Specify in Remarks) <input type="checkbox"/> SES (Gen.) <input type="checkbox"/> SES (CR)		11. Position is <input checked="" type="checkbox"/> Supervisory <input type="checkbox"/> Managerial <input type="checkbox"/> Neither	12. Sensitivity <input type="checkbox"/> 1-Non Sensitive <input type="checkbox"/> 3-Critical <input checked="" type="checkbox"/> 2-Noncritical Sensitive <input type="checkbox"/> 4-Special Sensitive	13. Competitive Level Code
14. Agency Use				

15. Classified/Graded by	Official Title of Position	Pay Plan	Occupational Code	Grade	Initials	Date
a. Office of Personnel Management						
b. Department, Agency or Establishment	Special Master, Executive Comp.	GS	501	15		
c. Second Level Review						
d. First Level Review						
e. Recommended by Supervisor or Initiating Office	Special Master, Executive Comp.	GS	501	15		

16. Organizational Title of Position (if different from official title) _____
 17. Name of Employee (if vacant, specify) _____

18. Department, Agency, or Establishment Department of the Treasury	p. Third Subdivision
a. First Subdivision Office of Financial Stability	d. Fourth Subdivision
b. Second Subdivision Office of the Assistant Secretary	e. Fifth Subdivision

19. Employee Review-This is an accurate description of the major duties and responsibilities of my position.
 Signature of Employee (optional) _____

20. Supervisory Certification. I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that _____
 this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.

a. Typed Name and Title of Immediate Supervisor _____
 b. [Redacted]

Signature _____ Date _____ Signature _____ Date 6/3/09

21. Classification/Job Grading Certification. I certify that this position has been classified/graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, in accordance with the most applicable published standards.
 22. Position Classification Standards Used in Classifying/Grading Position
 OPM PCS for GS-501
 GSSG

Information for Employees. The standards, and information on their application, are available in the personnel office. The classification of the position may be reviewed and corrected by the agency or the U.S. Office of Personnel Management. Information on classification/job grading appeals, and complaints on exemption from FLSA, is available from the personnel office or the U.S. Office of Personnel Management.

	Date	Initials	Date	Initials	Date	Initials	Date
a. Employee (optional)							
b. Supervisor							
c. Classifier	7-17-09						

24. Remarks Minor changes to PD per OGC + CFS. [Redacted] 7/17/09

25. Description of Major Duties and Responsibilities (See Attached)

POSITION DESCRIPTION

SPECIAL MASTER, EXECUTIVE COMPENSATION, GS-0501-15

SETID	DO001	JOB 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 POSITION		MEDICAL CHECK REQ.	No	BUS CODE	8888
FLSA	Exempt	PATCOB	Admin	EXECUTIVE DISCLOSURE	No	EMPL/FIN INTEREST	No	FUND SOURCE	Approp Fnd
CLASSIFIER									
CLASS STANDARD									
DATE CLASSIFIED	06/05/2009								

MAJOR DUTIES

Special Master, Executive Compensation
 GS-0501-15
 [REDACTED]

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.