



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C.

March 22, 2017

RE: 2017-02-121

Ms. Natasha Lycia Ora Bannan
Associate Counsel
Latino Justice PRLDEF
99 Hudson Street, 14th Floor
New York, NY 10013
nbannan@latinojustice.org

Dear Ms. Bannan:

This letter acknowledges your Freedom of Information Act (FOIA) request submitted to the Department of the Treasury, dated February 27, 2017. You seek, “records related to the establishment, composition, and appointment process and functioning of the federal fiscal control (or oversight) board that was authorized under the Puerto Rico Oversight, Management and Economic Stability Act (PROMESA). A copy of your request is enclosed for your conscience.

I have initiated a search within Departmental Offices (DO), for records that would be responsive to your request. I will make every effort to provide you with a timely response; however; please be advised that unusual circumstances exist regarding the search for and review of the information requested, due to the consultation required between two or more program offices. This will require an additional processing extension of ten (10) days.

I have determined you are a representative of the news media (media). Media requesters are not charged fees associated with search or review and will obtain the first 100 pages of duplication of hard copy records free. Duplication of hard copy records below \$25 is waived. Treasury will make every effort to transmit your final response via email or CD free of charge as well; therefore, your request for a fee waiver is granted.

You have requested expedited processing. The FOIE states that “each agency shall promulgate regulations ... providing for expedited processing of requests for records.”¹ There are two categories of requests that merit expedited review under Treasury’s FOIE regulations: (1) requests for which a lack of expedited treatment “could reasonably be expected to pose an imminent threat to the life or physical safety of an individual;” or (2) where there is an “urgency to inform the public about an actual or alleged Federal Government activity”, if made by a person primarily engaged in disseminating information.”²

¹ See 5 U.S.C. § 552(a)(6)(E)(i)

² See 31 CFR § 1.5(e)

Based upon my review of the information contained in your request, and in consideration of the two factors identified above, I have determined to deny your request for expedited processing. You have not adequately demonstrated how not receiving the information in an expeditious manner would “compromise a significant recognized interest”.

You have the right to appeal adverse actions. A denial of expedited processing constitutes an adverse action; therefore, you have the right to appeal this determination within 90 days of the date of this letter. Your appeal must be in writing, signed by you or your representative, and should contain the rationale for the appeal. Your appeal should be addressed to:

FOIE Appeal
FOIE and Transparency
Privacy, Transparency, and Records
Department of the Treasury
1500 Pennsylvania Ave., N.W.
Washington, D.C. 20220

You may also contact the FOIE Public Liaison, Deryl L. Richardson, Jr., at any time for any questions you may have concerning your request via telephone at (202) 622-8098; or email at FOIAPublicLiaisonDepartmentalOffices@Treasury.gov.

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, their contact information is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001
ogis@nara.gov
ogis.archives.gov
(202) 741-5770
(877) 684-6448

If additional questions for Departmental Offices arise concerning this action, please contact Cawana Pearson via telephone at (202) 622-0930; or via email at treasfoia@treasury.gov. Please reference FOIA request 2017-02-121 when inquiring about this request.

Sincerely,

Cawana Pearson
FOIA Case Manager, FOIA and Transparency

