



PRIVACY, GOVERNMENTAL
LIAISON AND DISCLOSURE

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, DC 20224

June 6, 2013

William Wilson
Americans for Limited Government
9900 Main Street
Suite 303
Fairfax, VA 22031

Dear Mr. Wilson:

I am responding to your Freedom of Information Act (FOIA) request dated December 17, 2012 that we received on December 18, 2012 from the Director, Disclosure Services, Department of Treasury. The request sent to the Internal Revenue Service (IRS) from Treasury was assigned Treasury identification number 2012-12-096.

You asked for records identifying the following information for those serving as full-time "official-time" personnel, i.e. who work full time as an exclusive representative (union) in dealing with the Department of Treasury regarding terms and conditions of employment:

1. Name
2. Agency or Department
3. Present and past position titles and occupational series from January 20, 2012 and after
4. Present and past grades from January 20, 2012 and after
5. Present and past annual salary rates (including performance awards or bonuses, incentive awards, merit pay amount, Meritorious or Distinguished Executive Ranks, and allowances and differentials) from January 20, 2012 and after
6. Present and past duty stations (including room numbers, shop designations, or other identifying information regarding buildings and places of employment)

Of the nine (9) pages located in response to your request, I am enclosing nine (9) pages. I am withholding nine (9) pages in part for the reasons discussed below.

The Office of Personnel Management (OPM) has designated six items of information about federal employees as generally releasable to the public. OPM further excluded certain sensitive positions within the IRS from public release. Accordingly, we are withholding information about these sensitive positions under FOIA exemption (b)(6).

The names of employees serving full time/official time for the union are also being withheld under FOIA exemption (b)(6).

FOIA exemption (b)(6) exempts from disclosure files that, if released, would clearly be an unwarranted invasion of personal privacy. These include medical, personnel, and similar files. We base the determination to withhold on a balancing of interests between the protection of an individual's right to privacy and the public's right to access government information.

The Supreme Court ruled that Congress intended the "similar files" provision to be construed broadly, so that all information which applies to a particular individual qualifies for consideration under exemption (b)(6).

The redacted portions of each page are marked by the applicable FOIA exemptions. This constitutes a partial denial of your request. I have enclosed Notice 393 explaining your appeal rights.

If you have any questions, please call Tax Law Specialist Kathy Brewer, ID #100027424, at 410-962-9209 or write to: Internal Revenue Service, HQ Disclosure, 2980 Brandywine Road, Stop 211, Chamblee, GA 30341. Please refer to case number F13353-0141.

Sincerely,

A handwritten signature in black ink that reads "Bertrand Tzeng". The signature is written in a cursive style with a large, stylized 'B' and 'T'.

Bertrand Tzeng
Disclosure Manager
HQ Disclosure FOIA & Program Operations

Enclosures
Notice 393
9 pages