

Date: 16 August 2021

Subject: FOAA Request – Acknowledge Receipt

To: Emily Corwin
117189-04816783@requests.muckrock.com
MuckRock.com

This memorandum is in response to your multiple requests for records (email) dated 05 August 202, 05 August 2021 and 06 August 2021, and received by the Maine Department of Labor (“Department”) on 12 August 2021 pursuant to the Freedom of Access Act (FOAA), 1 M.R.S. §§ 400 – 410.

You requested the following responsive data in all three requests:

- 1) All reports regarding Work Opportunity Tax Credits certified in 2019 and 2020 provided to the US Department of Labor, including forms 9058.
- 2) Any database tracking Work Opportunity Tax Credit certifications which is created or maintained by your department or by any third-party vendor under contract with your department, preferably in .csv or .xlsx format. If it is easier, the database can be limited to the calendar or fiscal years ending in 2018, 2019 and 2020.
- 3) The most recent of any contracts with third party vendors to track WOTC certifications.

To the extent the Department has public records responsive to your request, the Department will produce them within a reasonable time. Please note, a state agency is not required to set aside its regular activities to respond to a FOAA request, nor is an agency required to create records that do not exist (1 M.R.S. §408-A sub-§5 and sub-§6). Also, some of the documents requested may be confidential. Records that are subject to a privilege, designated as confidential by statute, or otherwise exempt from the definition of “public records” are not subject to disclosure under FOAA.

Under FOAA, the Department is permitted to charge a fee to “cover the actual cost of searching for, retrieving and compiling the requested public record of not more than \$15 per hour after the first hour of staff time per request” 1 M.R.S. §408-A(8).

Once available, an estimate of timing and cost can be provided. Thank you for your interest.

Sincerely,
Ken Boykin
Information Risk Manager and FOAA Officer
Office of the Commissioner
Maine Department of Labor
L.Ken.Boykin@maine.gov