



USAID
FROM THE AMERICAN PEOPLE

September 1, 2022

TRANSMITTED VIA EMAIL

foia@americanoversight.org

Mr. Dan McGrath
American Oversight
1030 15th Street NW
Washington, DC 20005

Re: FOIA Request No. F-00315-20
Final Response

Dear Mr. McGrath:

The U. S. Agency for International Development (USAID) regrets the delay in responding to your Freedom of Information Act (FOIA) request. Unfortunately, USAID is experiencing a backlog of FOIA requests. Please know that USAID management is very committed to providing responses to FOIA requests and remedying the FOIA backlog.

This is the final response to your July 20, 2020 FOIA request to USAID. You requested:

1. Copies of any SF-50 forms for any political appointees* at the GS-13 level or higher at your agency reflecting a change to a permanent competitive, non-political excepted service, or career SES position.
2. Records sufficient to identify any requests to OPM (including any approvals, rejections, or other responses from OPM) to appoint any current or former (within five years) Executive Branch political appointees* at the GS-13 level or higher to permanent competitive, non-political excepted service, or career SES position (including but not limited to any pre-appointment request checklist forms OPM 5000 or 5001, or other forms used for the requests, documentation submitted with the requests, and decisions conveyed in response to the request).
3. Records sufficient to identify any requests to OPM (including any approvals, rejections, or other responses from OPM) under 5 CFR § 3318(a), (c)(1), for approval to pass over a preference eligible or object to an eligible (including but not limited to any forms SF-62 or other forms used for the request, documentation submitted with the requests, and decisions conveyed in response to the request).

*consider any employee in the following positions to be a “political appointee”:

- a. Political appointees requiring Senate confirmation (PAS);

- b. Political appointees not requiring Senate confirmation (PA);
- c. Political appointees, as defined under 5 U.S.C. sections 5312 through 5316 (relating to the Executive Schedule);
- d. Political Schedule A;
- e. Appointments made by the President without confirmation by the Senate [5 CFR § 213.3102(c)].
- f. Assistants to top-level Federal officials if the position is being filled by a person designated by the President as a White House Fellow [5 CFR § 213.3102(z)].
- g. Schedule C [5 CFR §§ 213.3301-3302];
- h. Noncareer SES [5 U.S.C. § 3132(a)(7); and 5 CFR § 317, subpart F];
- i. Limited Term SES [5 U.S.C. § 3132(a)(5); and 5 CFR § 317, subpart F];
- j. Limited Emergency SES [5 U.S.C. § 3132(a)(6); and 5 CFR § 317, subpart F];
- k. Appointees serving in a political capacity under agency-specific authority; and
- l. Provisional Political Appointments [applicable to positions listed above].

For all parts of this request, please provide all responsive records from January 1, 2020, through July 20, 2020.

For your information, Congress excluded three (3) discrete categories of law enforcement and national security records from the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all of our requesters and should not be construed as an indication that excluded records do, or do not, exist.

USAID conducted a comprehensive search of its Human Capital and Talent Management (HCTM) for records responsive to your request. Based on this search, no records were identified as responsive to your request. You have the right to appeal this no records response.

If you require any further assistance or would like to discuss any aspect of your request, you may contact Derwin Leonard, the assigned FOIA Specialist by phone on (202) 916-4665 or at dleonard@usaid.gov. You may also contact USAID's FOIA Public Liaison, Christopher Colbow, at foia@usaid.gov.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services offered:

Office of Government Information Services
National Records and Archives Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
E-mail: ogis@nara.gov
Telephone: (202) 741-5770; toll free at 1-877-684-6448
Fax: (202) 741-5769

You have the right to appeal this final response. Your appeal must be received by USAID no later than 90 days from the date of this letter. If you would like to appeal this disclosure determination, please send your appeal to foia@usaid.gov, and address it to the Deputy Director of the Bureau for Management, Office of Management Services. In addition, please include your tracking number F-00315-20 final response in your email.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services offered:

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Telephone: (202) 741-5770; toll free at 1-877-684-6448
Fax: (202) 741-5769

There is no charge for this FOIA request. As this concludes the processing of your request, it will be closed.

Thank you for your interest in USAID.

Sincerely,

**Theresa
Morris for**

Christopher Colbow
Chief FOIA Public
FOIA Officer/Agency Records Officer
Bureau for Management Office of
Management Services Information and
Records Division

Digitally signed by
Theresa Morris for
Date: 2022.09.01
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