



U.S. Small Business
Administration

Office of Human Resource Solutions | 409 3rd Street, SW | Washington, DC 20416

August 17, 2020

Mr. Dan McGrath
1030 15th Street, Suite B255
Washington, DC 20005
foia@americanoversight.org

Dear Mr. McGrath:

This letter is in response to your Freedom of Information Act (FOIA) Request No. SBA-2020-0002382, in which you requested information on any U.S. Small Business Administration (SBA) political appointees (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]) notification of personnel action at the GS-13 level or higher as stated below:

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, nonpolitical excepted service, or career SES position.
2. Records sufficient to identify any requests to Office of Personnel Management (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).

The Office of Human Resources Solutions (OHRS) searched SBA's personnel system of records. OHRS does not have any records responsive to your requests as mentioned above for any SBA political appointees at the GS-13 level or higher.

If you are dissatisfied with the Agency's decision, you may file an administrative appeal within 90 days of the date of this letter to:

Office of Hearings and Appeals
Attention: Oreoluwa (Ore) Fashola,
Chief, Freedom of Information & Privacy Act (FOI/PA)
Office of Hearings and Appeals (OHA)
409 3rd Avenue, SW – 8th Floor
Washington, DC 20416
FOIA@sba.gov

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison in the Office of Hearings and Appeals, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

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

Sincerely,

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WOOD
Donna Wood
OHRS FOIA Manager

Digitally signed by
DONNA WOOD
Date: 2020.08.17
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