
From: "Ricker, Monique T. EOP/USTR" <Monique_T_Ricker@ustr.eop.gov>
Date: Tuesday, August 11, 2020 at 3:13 PM
To: FOIA <foia@americanoversight.org>, FN-USTR-FOIA <FN-USTR-FOIA@ustr.eop.gov>
Subject: RE: Freedom of Information Act Request (MULTI-20-1793-1814)

EXTERNAL SENDER

Mr. McGrath,

This email is the final response of the Office of the United States Trade Representative (USTR) to Freedom of Information Act (FOIA) No. FY20-127 submitted on July 20, 2020 requesting,

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).

In response to your FOIA request, we searched the files of the Office of Human Capital and Services (OCHS) for responsive records between January 1, 2020 and July 21, 2020, the date the search was conducted. USTR located no records responsive to the three components of your request. With respect to item 1, USTR's Director of OCHS also confirmed with the Executive Office of the President, Office of Administration, Human Resource Management Division that USTR has not had a political appointee change to a permanent competitive, non-political excepted service, or career SES position.

This constitutes a complete response to your request. You may contact me or my colleague Janice Kaye at FOIA@ustr.eop.gov or 202-395-3419 for further assistance and to discuss any aspect of your request. 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 they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-

mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may also administratively appeal by writing to: FOIA Office, ATTN: Janice Kaye, Office of the US Trade Representative, Anacostia Naval Annex, Bldg. 410/Door 123, 250 Murray Lane, S.W., Washington, D.C. 20509.

Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request. Both the letter and the envelope should be clearly marked: "Freedom of Information Act Appeal" and should include a reference to the FOIA Case File number listed above. Heightened security in force may delay mail delivery; therefore we suggest that you also email any such appeal to foia@ustr.eop.gov.

In the event you are dissatisfied with the results of any such appeal, judicial review will thereafter be available to you in the United States District Court for the judicial district in which you reside or have your principal place of business, or in the District of Columbia, where we searched for the records you requested.

Thank you,
Monique

Monique T. Ricker
FOIA Program Manager/Attorney

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON DC 20508

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