



**Homeland
Security**

Privacy Office, Mail Stop 0655

September 23, 2020

SENT VIA E-MAIL TO: foia@americanoversight.org

Austin Evers
American Oversight
1030 15th Street, NW, Suite B255
Washington, DC 20005

Re: **2020-HQFO-01467**

Dear Ms. Evers:

This is the final response to your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS), dated July 20, 2020, and received by this office on July 20, 2020.

You are seeking:

- (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 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); and
- (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), to include, 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].

A search of the Department of Homeland Security's, Office of the Chief Human Capital Officer (CHCO) for documents responsive to your request produced a total of one (1) page. Portions of the page are partially releasable, pursuant to Title 5 U.S.C. § 552 (b)(6), FOIA Exemption 6.

Enclosed is one (1) page with certain information withheld as described below:

FOIA Exemption 6 exempts from disclosure personnel or medical files and similar files the release of which would cause a clearly unwarranted invasion of personal privacy. This requires a balancing of the public's right to disclosure against the individual's right to privacy. The privacy interests of the individuals in the records you have requested outweigh any minimal public interest in disclosure of the information. Any private interest you may have in that information does not factor into the aforementioned balancing test.

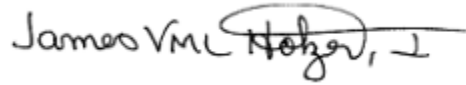
You have a right to appeal the above withholding determination. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, to: Privacy Office, Attn: FOIA Appeals, U.S. Department of Homeland Security, 2707 Martin Luther King Jr. Avenue, SE, Mail Stop 0655, Washington, D.C. 20528-0655, following the procedures outlined in the DHS FOIA regulations at 6 C.F.R. Part 5 § 5.5(e)(2). Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS FOIA regulations are available at www.dhs.gov/foia.

Provisions of FOIA allow DHS to charge for processing fees, up to \$25, unless you seek a waiver of fees. In this instance, because the cost is below the \$25 minimum, there is no charge.

You may contact the DHS FOIA Public Liaison at 202-343-1743 for any further assistance and to discuss any aspect of your request. You may also contact 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 need to contact our office again about this matter, please refer to 2020-HQFO-01467. This office can be reached at FOIA@HQ.DHS.GOV or call 202-343-1743 or toll free 1-866-431-0486.

Sincerely,

A handwritten signature in black ink that reads "James V.M.L. Holzer, J". The signature is written in a cursive style with a large, looping "H" and a final flourish.

James V.M.L. Holzer
Deputy Chief FOIA Officer

Enclosure(s): Responsive Document, 1 page

NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) SYMONS, CRAIG M				2. Social Security Number (b)(6)		3. Date of Birth (b)(6)		4. Effective Date 01/05/20					
FIRST ACTION				SECOND ACTION									
5-A. Code 702		5-B. Nature of Action PROMOTION		6-A. Code		6-B. Nature of Action							
5-C. Code N3M		5-D. Legal Authority REG 335 102		6-C. Code		6-D. Legal Authority							
5-E. Code		5-F. Legal Authority		6-E. Code		6-F. Legal Authority							
7. FROM: Position Title and Number DEPUTY CHIEF, ADMIN APPEALS OFFICE 05000975 S15036				15. TO: Position Title and Number DHS ATTACHE' TO LONDON 90955770 073622									
8. Pay Plan GS		9. Occ. Code 0930		10. Grade or Level 15		11. Step or Rate 10		12. Total Salary 170,800.00		13. Pay Basis PA			
16. Pay Plan SL		17. Occ. Code 0301		18. Grade or Level 00		19. Step or Rate 00		20. Total Salary/Award 177,306.00		21. Pay Basis PA			
12A. Basic Pay 142,180.00		12B. Locality Adj. 28,620.00		12C. Adj. Basic Pay 170,800.00		12D. Other Pay .00		20A. Basic Pay 177,306.00		20B. Locality Adj. .00			
20C. Adj. Basic Pay 177,306.00		20D. Other Pay .00		22. Name and Location of Position's Organization IMMEDIATE OFFICE OF THE SECRETARY OSEM OFFICE OF POLICY IMM OFF ASST SEC POLICY				HS OS0112010000000000 PP 01 2020					
14. Name and Location of Position's Organization CITIZENSHIP AND IMMIGRATION SERVICES OFC OF ADMIN APPEALS													
EMPLOYEE DATA													
23. Veterans Preference 1 1 - None 2 - 5-Point 3 - 10-Point/Disability 4 - 10-Point/Compensable 5 - 10-Point/Other 6 - 10-Point/Compensable/30%				24. Tenure 1 0 - None 1 - Permanent 2 - Conditional 3 - Indefinite				25. Agency Use		26. Veterans Preference for RIF (b)(6) YES (b)(6) NO			
27. FEGLI R5 BASIC-STANDARD-3X ADDITIONAL-5X FAM				28. Annuitant Indicator 9 NOT APPLICABLE				29. Pay Rate Determinant 0 NOT APPLICABLE					
30. Retirement Plan K FERS AND FICA				31. Service Comp. Date (Leave) 02/06/05				32. Work Schedule F FULL TIME					
33. Part-Time Hours Per Biweekly Pay Period													
POSITION DATA													
34. Position Occupied 1 1 - Competitive Service 2 - Excepted Service 3 - SES General 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt				36. Appropriation Code				37. Bargaining Unit Status 8888	
38. Duty Station Code UK-5600-000				39. Duty Station (City - County - State or Overseas Location) LONDON UK									
40. Agency Data		41.		42.		43.		44.					
45. Remarks SL MEMBER SUBJECT TO POST-EMPLOYMENT RESTRICTIONS UNDER 18 USC 207 (C) SELECTED FROM PLCY-10424989-19-LS CERT #20190502-CASR-002 DATED 7/7/19 POSITION IS AT THE FULL PERFORMANCE LEVEL OR BAND. APPOINTMENT AFFIDAVIT EXECUTED 1/6/2020													
46. Employing Department or Agency HOMELAND SECURITY						50. Signature/Authentication and Title of Approving Official ELECTRONICALLY SIGNED BY: (b)(6) EXECUTIVE DIRECTOR, HRMS							
47. Agency Code HS OS		48. Personnel Office ID 5500		49. Approval Date 01/14/20									