



U.S. MERIT SYSTEMS PROTECTION BOARD

Office of the Clerk of the Board

1615 M Street, N.W.
Washington, D.C. 20419-0002

Phone: 202-653-7200; Fax: 202-653-7130; Email: foiahq@mspb.gov

January 28, 2021

SENT VIA EMAIL (sk@kkc.com)

Stephen Kohn
Kohn, Kohn & Colapinto, LLP
1710 N. Street, N.W.
Washington, D.C. 20036

RE: Final Response for FOIA Request MSPB-2021-000077

Dear Mr. Kohn:

This is the final response to your Freedom of Information Act (FOIA) request to the U.S. Merit Systems Protection Board (MSPB), dated January 23, 2021, and received January 25, 2021. In your request, you state the following:

In response to our request identified above (and in the email below) [MSPB-2020-000067] you provided information in the spreadsheet attached [spreadsheet titled Whistleblower Data for Pending PFRs as of 01-31-2020]. We hereby request that the numbers in this spreadsheet be updated to include the backlog statistics for the MSPB as of today.

We have conducted a comprehensive search of our electronic case management system for records responsive to your request. After querying our case management system for data responsive to your request, the results of our search efforts are as follows:

- Spreadsheet: Number of Petitions for Review pending as of January 28, 2021 that involve whistleblowing.¹

In addition to your FOIA request, you also submitted a request for expedited processing. After a telephone conversation on January 27, 2021, followed by email on the same date, you agreed to withdraw your expedited processing request. Your request for expedited processing was closed on January 27, 2021 with a final disposition of: Withdrawn by Requester.

If you have any questions regarding this request, or if you disagree with this disposition, in whole or part, you have the right to seek assistance from the FOIA Public Liaison or appeal the determination.

¹ Please note, the data presented in this spreadsheet reflects available information as of the morning of January 28, 2021. This data may differ from information which is collected and posted on a monthly basis.

If you wish to contact the FOIA Public Liaison, you may do so via email to foiahq@mspb.gov or telephone at (202) 254-4475.

If you wish to appeal the determination, you may do so by submitting your appeal through FOIAonline or by mailing your appeal to:

Chairman, c/o Clerk of the Board
U.S. Merit Systems Protection Board
1615 M Street, NW
Suite 500
Washington, DC 20419

Your appeal should be identified as a “FOIA Appeal” on both the letter and the envelope, if applicable. It should include a copy of your original request, a copy of this letter and your reasons for appealing this decision. You may also submit your appeal by email to foiahq@mspb.gov or by fax at (202) 653-7130. Your appeal must be filed within ninety (90) days from the date of this letter.

Please be advised that as MSPB continues to operate under a maximum telework status pursuant to Coronavirus/COVID – 19 guidelines, our physical offices are not consistently staffed and there may be a delay in receiving any mailed correspondence. For faster delivery, we recommend emailing any correspondence.

Sincerely,

//signed//

Karin Kelly
Government Information Specialist
U.S. Merit Systems Protection Board