3. Agency Component Abbreviations

|  |  |
| --- | --- |
| Component Abbreviation | Component Name |
| SBA | U.S. Small Business Administration |
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| **IV. Exemption 3 Statutes** |

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| --- | --- | --- | --- | --- | --- |
| Statute | Type of Information Withheld | Case Citation | Agency / Component | Number of Times Relied upon by Agency / Component | Total Number of Times Relied upon by Agency Overall |
| 26 U.S.C. §§ 6103, 6105 (Internal Revenue Code) | Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax convention information | Church of Scientology v. IRS, 484 U.S. 9, 15 (1987) (26 U.S.C. § 6103); Leonard v. U.S. Dep't of Treasury, 590 F. App'x. 141, 143-44 (3d Cir. 2014) (per curiam); Pac. Fisheries, Inc. v. IRS, 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); Tax Analysts v. IRS, 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105). | SBA | 17 | 17 |
|  |  |  |  |
| Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319 | Certain records pertaining to grand jury proceedings | Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Fund for Constitutional Gov't v. Nat'l Archives & Records Serv., 656 F.2d 856, 867-68 (D.C. Cir. 1981); Durham v. U.S. Atty. Gen., No. 06-843, 2008 WL 620744, at \*2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008). | SBA | 5 | 5 |
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**V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Agency / Component | Number of Requests Pending as of Start of Fiscal Year | Number of Requests Received in Fiscal Year | Number of Requests Processed in Fiscal Year | Number of Requests Pending as of End of Fiscal Year |
| SBA | 24 | 1,089 | 1,061 | 88 |
|  |  |  |  | 0 |
| AGENCY OVERALL | 24 | 1,089 | 1,061 | 88 |

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**V.B.(1). DISPOSITION OF FOIA REQUESTS -- ALL PROCESSED REQUESTS**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | Number of Full Grants | Number of Partial Grants / Partial Denials | Number of Full Denials Based on Exemptions | Number of Full Denials Based on Reasons Other than Exemptions | | | | | | | | |  |
| No Records | All Records Referred to Another Component or Agency | Request Withdrawn | Fee-Related Reason | Records not Reasonably Described | Improper FOIA Request for Other Reason | Not Agency Record | Duplicate Request | Other \*Explain in Chart Below | TOTAL |
| SBA | 543 | 197 | 18 | 125 | 2 | 42 | 11 | 29 | 28 | 25 | 38 | 3 | 1,061 |
|  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| AGENCY OVERALL | 543 | 197 | 18 | 125 | 2 | 42 | 11 | 29 | 28 | 25 | 38 | 3 | 1,061 |

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**V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS BASED ON REASONS OTHER THAN EXEMPTIONS"**

|  |  |  |  |
| --- | --- | --- | --- |
| Agency / Component | Description of "Other" Reasons for Denials from Chart B(1) | Number of Times "Other" Reason Was Relied Upon | TOTAL |
| SBA | Requester unresponsive when asked to clarify | 3 | 3 |
| AGENCY OVERALL |  |  | 3 |

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**V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | Ex. 1 | Ex. 2 | Ex. 3 | Ex. 4 | Ex. 5 | Ex. 6 | Ex. 7(A) | Ex. 7(B) | Ex. 7(C) | Ex. 7(D) | Ex. 7(E) | Ex. 7(F) | Ex. 8 | Ex. 9 |
| SBA | 0 | 2 | 18 | 43 | 62 | 93 | 7 | 5 | 10 | 2 | 3 | 2 | 5 | 0 |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| AGENCY OVERALL | 0 | 2 | 18 | 43 | 62 | 93 | 7 | 5 | 10 | 2 | 3 | 2 | 5 | 0 |

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**VI.A. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING ADMINISTRATIVE APPEALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Agency / Component | Number of Appeals Pending as of Start of Fiscal Year | Number of Appeals Received in Fiscal Year | Number of Appeals Processed in Fiscal Year | Number of Appeals Pending as of End of Fiscal Year |
| SBA | 8 | 21 | 28 | 1 |
|  |  |  |  | 0 |
| AGENCY OVERALL | 8 | 21 | 28 | 1 |

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**VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agency / Component | Number Affirmed on Appeal | Number Partially Affirmed & Partially Reversed/Remanded on Appeal | Number Completely Reversed/Remanded on Appeal | Number of Appeals Closed for Other Reasons | TOTAL |
| SBA | 11 | 4 | 6 | 7 | 28 |
|  |  |  |  |  | 0 |
| AGENCY OVERALL | 11 | 4 | 6 | 7 | 28 |

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**VI.C.(1). REASONS FOR DENIAL ON APPEAL -- NUMBER OF TIMES EXEMPTIONS APPLIED**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | Ex. 1 | Ex. 2 | Ex. 3 | Ex. 4 | Ex. 5 | Ex. 6 | Ex. 7(A) | Ex. 7(B) | Ex. 7(C) | Ex. 7(D) | Ex. 7(E) | Ex. 7(F) | Ex. 8 | Ex. 9 |
| SBA | 0 | 0 | 1 | 2 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| AGENCY OVERALL | 0 | 0 | 1 | 2 | 3 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |

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**VI.C.(2). REASONS FOR DENIAL ON APPEAL -- REASONS OTHER THAN EXEMPTIONS**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | No Records | Records Referred at Initial Request Level | Request Withdrawn | Fee-Related Reason | Records not Reasonably Described | Improper Request for Other Reasons | Not Agency Record | Duplicate Request or Appeal | Request in Litigation | Appeal Based Solely on Denial of Request for Expedited Processing | Other \*Explain in chart below |
| SBA | 0 | 0 | 6 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 |
|  |  |  |  |  |  |  |  |  |  |  |  |
| AGENCY OVERALL | 0 | 0 | 6 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 |

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**VI.C.(3). REASONS FOR DENIAL ON APPEAL -- "OTHER" REASONS**

|  |  |  |  |
| --- | --- | --- | --- |
| Agency / Component | Description of "Other" Reasons for Denial on Appeal from Chart C(2) | Number of Times "Other" Reason Was Relied Upon | TOTAL |
| SBA | n/a | 0 | 0 |
|  |  |
| AGENCY OVERALL |  |  | 0 |
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**VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Agency / Component | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days |
|  |  |  |  |  |
|  |  |  |  |  |
| AGENCY OVERALL | 16.00 | 18.00 | <1 | 70.00 |

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**VI.C.(5). TEN OLDEST PENDING ADMINISTRATIVE APPEALS**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component |  | 10th Oldest Appeal | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | Oldest Appeal |
|  | Date of Appeal |  |  |  |  |  |  |  |  |  |  |
| Number of Days Pending |  |  |  |  |  |  |  |  |  |  |
| AGENCY OVERALL | Date of Appeal | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 2018-09-20 |
| Number of Days Pending | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6 |

After reviewing its database, SBA adjusted the number of backlogged requests as of the end of the Fiscal Year.

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**VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | SIMPLE | | | | COMPLEX | | | | EXPEDITED PROCESSING | | | |
| Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days |
|  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |
| AGENCY OVERALL | 7 | 15.02 | <1 | 217 | N/A | N/A | N/A | N/A | 3 | 18.58 | <1 | 84 |

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**VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED**

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | SIMPLE | | | | COMPLEX | | | | EXPEDITED PROCESSING | | | |
| Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days | Median Number of Days | Average Number of Days | Lowest Number of Days | Highest Number of Days |
|  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |
| AGENCY OVERALL | 7 | 14.03 | <1 | 217 | N/A | N/A | N/A | N/A | 1 | 18.52 | <1 | 84 |

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**VII.C. PROCESSED SIMPLE REQUESTS -- RESPONSE TIME IN DAY INCREMENTS**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | <1-20 Days | 21-40 Days | 41-60 Days | 61-80 Days | 81-100 Days | 101-120 Days | 121-140 Days | 141-160 Days | 161-180 Days | 181-200 Days | 201-300 Days | 301-400 Days | 401+ Days | TOTAL |
| SBA | 770 | 125 | 52 | 14 | 9 | 7 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 980 |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| AGENCY OVERALL | 770 | 125 | 52 | 14 | 9 | 7 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 980 |

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**VII.C. PROCESSED COMPLEX REQUESTS -- RESPONSE TIME IN DAY INCREMENTS**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | <1-20 Days | 21-40 Days | 41-60 Days | 61-80 Days | 81-100 Days | 101-120 Days | 121-140 Days | 141-160 Days | 161-180 Days | 181-200 Days | 201-300 Days | 301-400 Days | 401+ Days | TOTAL |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| AGENCY OVERALL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

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**VII.C. PROCESSED REQUESTS GRANTED EXPEDITED PROCESSING -- RESPONSE TIME IN DAY INCREMENTS**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | <1-20 Days | 21-40 Days | 41-60 Days | 61-80 Days | 81-100 Days | 101-120 Days | 121-140 Days | 141-160 Days | 161-180 Days | 181-200 Days | 201-300 Days | 301-400 Days | 401+ Days | TOTAL |
| SBA | 16 | 3 | 3 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 24 |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  | 0 |
| AGENCY OVERALL | 16 | 3 | 3 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 24 |

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**VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | SIMPLE | | | COMPLEX | | | EXPEDITED PROCESSING | | |
| Number Pending | Median Number of Days | Average Number of Days | Number Pending | Median Number of Days | Average Number of Days | Number Pending | Median Number of Days | Average Number of Days |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| AGENCY OVERALL | 51 | 33 | 49.91 | 0 | N/A | N/A | 1 | 23 | 23 |

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**VII.E. PENDING REQUESTS -- TEN OLDEST PENDING PERFECTED REQUESTS**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component |  | 10th Oldest Request | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | Oldest Request |
|  | Date of Receipt |  |  |  |  |  |  |  |  |  |  |
| Number of Days Pending |  |  |  |  |  |  |  |  |  |  |
| AGENCY OVERALL | Date of Receipt | 2018-03-27 | 2018-03-19 | 2018-03-19 | 2018-03-14 | 2018-03-14 | 2018-03-13 | 2018-03-05 | 2018-02-05 | 2017-11-01 | 2017-10-03 |
| Number of Days Pending | 130 | 131 | 131 | 139 | 139 | 140 | 146 | 176 | 228 | 260 |

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**VIII.A. REQUESTS FOR EXPEDITED PROCESSING**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agency / Component | Number Granted | Number Denied | Median Number of Days to Adjudicate | Average Number of Days to Adjudicate | Number Adjudicated Within Ten Calendar Days |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| AGENCY OVERALL | 26 | 29 | 14 | 31.53 | 25 |

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**VIII.B. Requests for Fee Waiver**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Agency / Component | Number Granted | Number Denied | Median Number of Days to Adjudicate | Average Number of Days to Adjudicate |
|  |  |  |  |  |
|  |  |  |  |  |
| AGENCY OVERALL | 56 | 32 | 10 | 21.26 |

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| **IX. FOIA Personnel and Costs** |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Agency / Component | PERSONNEL | | | COSTS | | |
| Number of "Full-Time FOIA Employees" | Number of "Equivalent Full-Time FOIA Employees" | Total Number of "Full-Time FOIA Staff" | Processing Costs | Litigation-Related Costs | Total Costs |
| SBA | 4 | 0 | 4 | $393,120.00 | $0.00 | $393,120.00 |
|  |  |  | 0 |  |  | $0.00 |
| AGENCY OVERALL | 4 | 0 | 4 | $393,120.00 | $0.00 | $393,120.00 |

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| **X. Fees Collected for Processing Requests** |

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| --- | --- | --- |
| Agency / Component | Total Amount of Fees Collected | Percentage of Total Costs |
| SBA | $42,100.00 | 10.71% |
|  |  |  |
| AGENCY OVERALL | $42,100.00 | 10.71% |

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| **XI.A. Number of Times Subsection (C) Used** |

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| --- | --- |
| Agency / Component | Number of Times Subsection Used |
| SBA | 0 |
|  |  |
| AGENCY OVERALL | 0 |

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| **XI.B. Number of Subsection (A)(2) Postings** |

|  |  |  |
| --- | --- | --- |
| Agency / Component | Number of Records Posted by the FOIA Office | Number of Records Posted by Program Offices |
| SBA | 0 | 0 |
|  |  |  |
| AGENCY OVERALL | 0 | 0 |

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| **XII.A. Backlogs of FOIA Requests and Administrative Appeals** |

|  |  |  |
| --- | --- | --- |
| Agency / Component | Number of Backlogged Requests as of End of Fiscal Year | Number of Backlogged Appeals as of End of Fiscal Year |
| SBA | 45 | 1 |
|  |  |  |
| AGENCY OVERALL | 45 | 1 |

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**XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Agency / Component | Number of Consultations Received from Other Agencies that were Pending at the Agency as of Start of the Fiscal Year | Number of Consultations Received from Other Agencies During the Fiscal Year | Number of Consultations Received from Other Agencies that were Processed by the Agency During the Fiscal Year | Number of Consultations Received from Other Agencies that were Pending at the Agency as of End of the Fiscal Year |
| SBA | 0 | 3 | 3 | 0 |
|  |  |  |  | 0 |
| AGENCY OVERALL | 0 | 3 | 3 | 0 |

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**XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY**

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component |  | 10th Oldest Consultation | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | Oldest Consultation |
|  | Date |  |  |  |  |  |  |  |  |  |  |
| Number of Days |  |  |  |  |  |  |  |  |  |  |
| AGENCY OVERALL | Date | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| Number of Days | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

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**XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- REQUESTS RECEIVED AND PROCESSED**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Agency / Component | NUMBER OF REQUESTS RECEIVED | | NUMBER OF REQUESTS PROCESSED | |
| Number Received During Fiscal Year from Last Year's Annual Report | Number Received During Fiscal Year from Current Annual Report | Number Processed During Fiscal Year from Last Year's Annual Report | Number Processed During Fiscal Year from Current Annual Report |
| SBA | 1,430 | 1,089 | 1,500 | 1,061 |
|  |  |  |  |  |
| AGENCY OVERALL | 1,430 | 1,089 | 1,500 | 1,061 |

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**XII.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED REQUESTS**

|  |  |  |
| --- | --- | --- |
| Agency / Component | Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report | Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report |
| SBA | 24 | 45 |
|  |  |  |
| AGENCY OVERALL | 24 | 45 |

After reviewing its database, SBA adjusted the number of backlogged REQUESTS AS of the end of the Fiscal Year.

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**XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Agency / Component | NUMBER OF APPEALS RECEIVED | | NUMBER OF APPEALS PROCESSED | |
| Number Received During Fiscal Year from Last Year's Annual Report | Number Received During Fiscal Year from Current Annual Report | Number Processed During Fiscal Year from Last Year's Annual Report | Number Processed During Fiscal Year from Current Annual Report |
| SBA | 28 | 21 | 21 | 28 |
|  |  |  |  |  |
| AGENCY OVERALL | 28 | 21 | 21 | 28 |

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**XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS**

|  |  |  |
| --- | --- | --- |
| Agency / Component | Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report | Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report |
| SBA | 8 | 1 |
|  |  |  |
| AGENCY OVERALL | 8 | 1 |

After reviewing its database, SBA adjusted the number of backlogged appeals as of the end of the Fiscal Year.

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