3. Agency Component Abbreviations

|  |  |
| --- | --- |
| Component Abbreviation | Component Name |
| SBA | Small Business Administration |

IV. Exemption 3 Statutes

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 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); Elec. Privacy Info. Ctr. v. IRS, 910 F.3d 1232 (D.C. Cir. 2018); 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 Fisheries, Inc. v. IRS, 395 F. App’x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); Tax Analysts v. IRS, 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105).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 | 6 | 6 |
| Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319 | Certain records that would reveal some secret aspect pertaining to grand jury proceedings | Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Sorin v. DOJ, No. 18-99, 2018 WL 6431027 (2d Cir. Dec. 6, 2018) (per curium); Widi v. McNeil, No. 12-CV-00188, 2016 WL 4394724, at \*23 (D. Me. Aug 16, 2016); 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 | 1 | 1 |



**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 | 114 | 895 | 923 | 86 |
| AGENCY OVERALL | 114 | 895 | 923 | 86 |

|  |
| --- |
| *After reviewing its database, SBA adjusted the number of requests pending as of the start of the Fiscal Year.* |

**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 | 421 | 195 | 17 | 126 | 2 | 63 | 10 | 23 | 10 | 16 | 40 | 0 | 923 |
| AGENCY OVERALL | 421 | 195 | 17 | 126 | 2 | 63 | 10 | 23 | 10 | 16 | 40 | 0 | 923 |

|  |
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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 | N/A | 0 | 0 |
| AGENCY OVERALL |  |  | 0 |

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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 | 4 | 8 | 33 | 40 | 99 | 2 | 1 | 20 | 1 | 1 | 1 | 2 | 1 |
| AGENCY OVERALL | 0 | 4 | 8 | 33 | 40 | 99 | 2 | 1 | 20 | 1 | 1 | 1 | 2 | 1 |

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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 | 2 | 10 | 10 | 2 |
| AGENCY OVERALL | 2 | 10 | 10 | 2 |

|  |
| --- |
| *After reviewing its database, SBA adjusted the number of appeals pending as of the start of the Fiscal Year.* |

**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 | 3 | 2 | 5 | 0 | 10 |
| AGENCY OVERALL | 3 | 2 | 5 | 0 | 10 |

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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 | 0 | 2 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| AGENCY OVERALL | 0 | 0 | 0 | 2 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 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 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| AGENCY OVERALL | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 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 | NA | 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 |
| SBA | 13 | 23 | 7 | 38 |
| AGENCY OVERALL | 13 | 23 | 7 | 38 |

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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 |
| AGENCY OVERALL | Date of Appeal | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 2019-08-19 | 2019-08-06 |
| Number of Days Pending | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 29 | 38 |

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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 |
| SBA | 13 | 22.05 | 0 | 364 | 69 | 69 | 69 | 69 | 6 | 9 | 0 | 26 |
| AGENCY OVERALL | 13 | 22.05 | 0 | 364 | 69 | 69 | 69 | 69 | 6 | 9 | 0 | 26 |

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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 |
| SBA | 12 | 21.63 | 0 | 364 | 69 | 69 | 69 | 69 | 4 | 6 | 0 | 9 |
| AGENCY OVERALL | 12 | 21.63 | 0 | 364 | 69 | 69 | 69 | 69 | 4 | 6 | 0 | 9 |

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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 | 556 | 120 | 58 | 19 | 11 | 3 | 12 | 5 | 2 | 2 | 3 | 1 | 0 | 792 |
| AGENCY OVERALL | 556 | 120 | 58 | 19 | 11 | 3 | 12 | 5 | 2 | 2 | 3 | 1 | 0 | 792 |

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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 |
| SBA | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| AGENCY OVERALL | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |

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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 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| AGENCY OVERALL | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |

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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 |
| SBA | 0 | N/A | N/A | 0 | N/A | N/A | 0 | N/A | N/A |
| AGENCY OVERALL | 0 | N/A | N/A | 0 | N/A | N/A | 0 | N/A | N/A |

|  |
| --- |
| *SBA has 86 unperfected requests, pending confirmation from requesters to confirm identity of ownership of loan files.* |

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

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Agency / Component |  | 10th Oldest Request | 9th | 8th | 7th | 6th | 5th | 4th | 3rd | 2nd | Oldest Request |
| AGENCY OVERALL | Date of Receipt | 2019-07-10 | 2019-07-09 | 2019-07-08 | 2019-07-05 | 2019-07-05 | 2019-07-03 | 2019-06-10 | 2019-04-26 | 2019-03-29 | 2019-01-30 |
| Number of Days Pending | 57 | 58 | 59 | 60 | 60 | 61 | 78 | 108 | 127 | 169 |

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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 |
| SBA | 14 | 37 | 16 | 27.16 | 21 |
| AGENCY OVERALL | 14 | 37 | 16 | 27.16 | 21 |

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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 |
| SBA | 27 | 23 | 0 | 6.26 |
| AGENCY OVERALL | 27 | 23 | 0 | 6.26 |

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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 | 3 | 0.00 | 3.00 | 346486.00 | 0.00 | 346486.00 |
| AGENCY OVERALL | 3 | 0.00 | 3.00 | 346486.00 | 0.00 | 346486.00 |

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

|  |  |  |
| --- | --- | --- |
| Agency / Component | Total Amount of Fees Collected | Percentage of Total Costs |
| SBA | 19500.00 | 0.0563 |
| AGENCY OVERALL | 19500.00 | 0.0563 |

|  |
| --- |
|  |

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

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

|  |
| --- |
|  |

|  |
| --- |
| **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 | 199 |
| AGENCY OVERALL | 0 | 199 |

|  |
| --- |
|  |

**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 | 0 | 2 |
| AGENCY OVERALL | 0 | 2 |

|  |
| --- |
|  |

**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 | 6 | 5 | 1 |
| AGENCY OVERALL | 0 | 6 | 5 | 1 |

|  |
| --- |
|  |

**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 |
| AGENCY OVERALL | Date | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | 2019-09-30 |
| 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 | 1089 | 895 | 1061 | 923 |
| AGENCY OVERALL | 1089 | 895 | 1061 | 923 |

|  |
| --- |
|  |

**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 | 45 | 0 |
| AGENCY OVERALL | 45 | 0 |

|  |
| --- |
|  |

**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 | 21 | 10 | 28 | 10 |
| AGENCY OVERALL | 21 | 10 | 28 | 10 |

|  |
| --- |
|  |

**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 | 1 | 2 |
| AGENCY OVERALL | 1 | 2 |

|  |
| --- |
|  |