

**U.S. Small Business Administration**



***Your Small Business Resource***



***\*If you have any questions regarding this report, please contact SBA's FOIA Chief Laura Magere at [Laura.Magere@sba.gov](mailto:Laura.Magere@sba.gov).***

# **Content of Fiscal Year 2016 Chief FOIA Officer Reports**

## **(High-Volume Agencies)**

**Delorice P. Ford, Assistant Administrator, Office of Hearings and Appeals**  
**(SBA Chief FOIA Officer)**

### **Section I: Steps Taken to Apply the Presumption of Openness**

#### ***FOIA Training:***

1. Did your agency conduct FOIA training during the reporting period for FOIA professionals?

Yes.

2. If yes, please provide a brief description of the type of training conducted and the topics covered.

SBA requires that all employees complete an annual, web-based FOIA training. Additionally, during Fiscal Year 2016, the Agency's Office of Hearings and Appeals (OHA) FOIA team conducted on-site training activities with SBA's decentralized FOIA personnel.

Topics covered in web-based training and onsite, in-person training events included:

Legal review of the FOIA and responsibilities of all Government employees;

Procedures for pre-disclosure notification (Exemption 4);

And, fee estimate determination and applicable rates for each requester category.

3. If no, please explain why your agency did not hold training during the reporting period, such as if training offered by other agencies was sufficient for your agency's training needs.

N/A

4. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend any FOIA training or conference during the reporting period such as that provided by the Department of Justice?

Yes.

5. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

100%. SBA selected FOIA online as the Agency's new information tracking system to manage FOIA requests at the start of the fiscal year. All of SBA's FOIA professionals completed training on the new system. Additionally, all of SBA's employees complete a web-based FOIA refresher class and quiz as a part of the Agency's annual training requirements. And finally, the government information specialists working in OHA continuously provide training sessions for program office FOIA reviewers and new employees.

6. OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

N/A

***Outreach:***

7. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA?

Yes. A group of SBA's FOIA professionals held teleconferences with a representative of a Government Accountability Advocacy group (Cause of Action) to clarify the information it sought in a request for records from SBA's Office of the National Ombudsman (ONO.) SBA's ONO FOIA professionals and the Agency's Associate General Counsel discussed the program operations, and the search and review process (including the need to manually review a document type to identify the records subset that would be responsive.) As a result, the requester agreed to the Agency's plan to produce interim responses over a prescribed period of time to lessen the administrative burden for the Agency. Cause of Action is a frequent requester of SBA records, and this effort to openly communicate the Agency's operations and FOIA processes is an example of the Agency's commitment to build positive work relationships with members of the FOIA requester community.

8. If you did not conduct any outreach during the reporting period, please explain why.

N/A

### ***Discretionary Releases:***

9. Does your agency have a distinct process or system in place to review records for discretionary release?

Yes. SBA's National FOIA team advocates transparency and advises SBA's FOIA reviewers (as stated in Attorney Holder's memo) to err on the side of openness in making decisions of whether or not to disclose information that holds no foreseeable harm if released to the public. Specifically, Exemption 5 withholdings are carefully reviewed (prior to initial release and on appeal) to ensure that SBA's FOIA personnel is releasing the largest amounts of segregable public data to satisfy the agency's duty to grant the FOIA requester community access to SBA operations information, upon request.

10. During the reporting period, did your agency make any discretionary releases of information?

Yes.

11. What exemption(s) would have covered the material released as a matter of discretion? For a discussion of the exemptions that allow for discretionary releases, please see OIP's guidance on implementing the President's and Attorney General's 2009 FOIA Memoranda.

Exemption 5.

12. Provide a narrative description, as well as some specific examples, of the types of information that your agency released as a matter of discretion during the reporting year.

Where there is no foreseeable harm, the Agency routinely releases large data sets that could be withheld as deliberative in an effort to illustrate the Agency's decision-making processes and operations.

Please find examples of these data releases on the Agency's website at <https://www.sba.gov/about-sba/sba-performance/open-government/foia/frequently-requested-records>.

13. If your agency was not able to make any discretionary releases of information, please explain why. or example, you should note here if your agency did not have an opportunity to make discretionary disclosures because you provided full releases in response to all requests or the only exemptions that were applied were those that do not lend themselves to discretionary release (i.e. Exemptions 1, 3, 4, 6, 7A, 7B, 7C, 7F).

N/A

***Other Initiatives:***

14. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA.

All of SBA's employees are required to complete a web-based FOIA training module each year.

15. If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

The FOIA Team actively supports a proactive disclosure initiative by routinely identifying frequently requested records that can be fully disclosed on the Agency's website.

- If any of these initiatives are online, please provide links in your description.

**Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests**

The Attorney General's 2009 FOIA Guidelines emphasized that "[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests." It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that the management of your FOIA program is effective and efficient. You should also include any additional information that describes your agency's efforts in this area.

***Processing Procedures:***

1. For Fiscal Year 2016, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2015 Annual FOIA Report.

1.8 Days

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

N/A

3. If your agency has a decentralized FOIA process, has your agency taken steps to make the routing of misdirected requests within your agency more efficient? If so, please describe those steps.

Yes. OHA's government information specialists communicate daily with decentralized FOIA coordinators to confirm the location of the records before creating assignments to agency components in the FOIA Online system.

4. On July 2, 2015, OIP issued new guidance to agencies on the proper procedures to be used in the event an agency has a reason to inquire whether a requester is still interested in the processing of his or her request. Please confirm here that to the extent your agency may have had occasion to send a "still interested" inquiry, it has done so in accordance with the new guidelines for doing so, including affording requesters thirty working days to respond.

No, SBA has not specifically issued a "still interested" inquiry in compliance with the July 2015 OIP guidance. However, SBA FOIA reviewers are encouraged to maintain regular correspondence and/or conversations with requesters to discuss any issues of clarification or fees. SBA's FOIA coordinators routinely attempt to establish communication with a requester if the request has been on hold for 30 days (pending the requester's response to a clarification request or authorization of fees) with no communication from the requester.

***Requester Services:***

5. Agency FOIA Requester Service Centers and FOIA Public Liaisons serve as the face and voice of an agency. In this capacity they provide a very important service for requesters, informing them about how the FOIA process works and providing specific details on the handling of their individual requests. The FOIA also calls on agency FOIA Requester Service Centers and FOIA Public Liaisons to assist requesters in resolving disputes. Please explain here any steps your agency has taken to strengthen these services to better inform requesters about their requests and to prevent or resolve FOIA disputes.

SBA's National FOIA team includes OGC Attorneys, an in-house OHA FOIA team (to be staffed by three government information specialists) and several public liaisons working to strengthen the quality of verbal and written communications to the FOIA requester community in a decentralized FOIA system at each phase of the FOIA request (initial request to final appeal.) In an effort to strengthen SBA's FOIA services, these legal and FOIA professionals provide routine training and guidance to Agency employees who have varying levels of exposure to FOIA through their collateral duty responsibilities. The Agency is continuously improving the quality of its written responses to initial FOIA requests and to FOIA appeals.

The OHA FOIA team is responsible to oversee the FOIA activities of the Agency's program offices, to provide procedural guidance to Agency FOIA personnel, and to ensure that the Agency's components adhere to the 20-day time limit for responses. As a result of an Agency VERA/VSIP Early Buyout, the

OHA FOIA team's longstanding FOIA Chief and senior government information specialist retired in the fall of 2014. After a complete turnover of the Agency's FOIA team at the close of FY 2015, SBA recommitted to strengthen the Agency FOIA program by recruiting experienced FOIA personnel to backfill the vacancies. The Agency's Chief FOIA Officer hired a new FOIA Chief who began working in OHA's FOIA Office on December 28, 2015. The FOIA Chief is scheduled to hire two government information specialists at the start of the third quarter in FY 2016.

***Other Initiatives:***

6. If there are any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as conducting self-assessments to find greater efficiencies, improving search processes, eliminating redundancy, etc., please describe them here.

SBA's National FOIA team reviews the Agency's quarterly FOIA data to determine where program strengths and weaknesses exist agency-wide. As a result, the FOIA team has worked with program office FOIA staff to address issues of process improvement, eliminating redundancies, and increasing transparency through proactive disclosures. These efforts have resulted in a dramatic reduction of total FOIA requests received (27% reduction) and processed (30% reduction) in the last year (from 1306 received and 1312 processed in FY 14 to 955 received and 926 processed in FY 15.) The FOIA team will continue quarterly evaluations of data to identify opportunities to streamline and improve the FOIA program. A continued reduction of initial requests will result in OHA's government information specialists having greater amounts of time to dedicate to the Agency's training and education in FOIA and to imagining new proactive ways to broaden transparency and access throughout the Agency.

**Section III: Steps Taken to Increase Proactive Disclosures**

Both the President's and Attorney General's FOIA memoranda focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

***Posting Material:***

1. Describe your agency's process or system for identifying "frequently requested" records required to be posted online under Subsection (a)(2) of the FOIA. For example, does your agency monitor its FOIA logs or is there some other system in place to identify these records for posting.

The FOIA team reviews the Agency's quarterly FOIA activity numbers for each program office to identify program offices with the highest numbers of FOIA requests. The FOIA team has worked with the program offices with high numbers of FOIA requests to identify the most frequently requested records that can feasibly be fully disclosed and proactively disclosed on the Agency's website.

2. Does your agency have a distinct process or system in place to identify other records for proactive disclosure? If so, please describe your agency's process or system.

The FOIA team regularly requests that program offices submit records to be posted on the Agency's website.

3. When making proactive disclosures of records, are your agency's FOIA professionals involved in coding the records for Section 508 compliance or otherwise preparing them for posting? If so, provide an estimate of how much time is involved for each of your FOIA professionals and your agency overall.

OHA's government information specialists are minimally involved with the Office of the Chief Information Officer's technology staff to ensure that documents posted to the Agency's website are 508 conformant. The FOIA team has less than a 5% time commitment to web accessibility issues.

4. Has your agency encountered challenges that make it difficult to post records you otherwise would like to post?

Yes.

5. If so, please briefly explain those challenges.

SBA's OCIO team is working to improve the accessibility standards for electronic records posted on our Agency's website to ensure that all populations can access the information (including individuals accessing the information with assisted technologies.) The Agency has limited server space for posting to the Agency's website. The OCIO team is now partnering with the Agency's Office of Communications and Public Liaison and the OHA FOIA team to identify alternatives to post large datasets in a 508 conformant format to increase SBA's online presence of publically available information.

6. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

Here are three examples of SBA's frequently requested records now posted on the Agency's FOIA page at [www.sba.gov](http://www.sba.gov). The Congressional Correspondence data was posted to the website on July 29, 2015. SBA's FOIA personnel will continue to identify and publish data sets that are of public interest. The OHA FOIA team is partnering with our internal Office of Communications and Public Liaison and OCIO to develop a routine process of publishing frequently requested data.



1) SBA Credit Cardholders Information:

<https://www.sba.gov/sites/default/files/aboutsbaarticle/bdda236c-66e4-4957-b63d-3b482d77af66-1.pdf>;

2) Congressional Correspondence page:

[https://www.sba.gov/sites/default/files/files/Boozman\\_07-29-2015.pdf](https://www.sba.gov/sites/default/files/files/Boozman_07-29-2015.pdf);

3) FY 2006 SBA Loss Report:

<https://www.sba.gov/sites/default/files/aboutsbaarticle/SBA%20Loss%20Report%20Fiscal%20Year%202006.pdf>

7. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If yes, please describe those efforts.

As stated in previous responses, the Agency has improved its Open Government and Open Data efforts to increase public access to the Agency's most frequently requested data sets. SBA has publicized its efforts through the Office of the Chief Information Officer's Open Government reporting to OMB, the OHA FOIA team's reporting to OIP, and the revitalization of the Agency's website.

***Other Initiatives:***

8. If there are any other steps your agency has taken to increase proactive disclosures, please describe them here.

N/A

#### **Section IV: Steps Taken to Greater Utilize Technology**

A key component of the President's **FOIA Memorandum** was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that describes your agency's efforts in this area.

***Making Material Posted Online More Usable:***

1. Beyond posting new material, is your agency taking steps to make the posted information more useable to the public, especially to the community of individuals who regularly access your agency's website?

Yes.

2. If yes, please provide examples of such improvements.

Administrator Maria Contreras-Sweet's Smart, Bold, and Accessible initiative stresses accessibility as a major component of the Agency's vital presence in America's small business community. The Agency's commitment to access for all those who the Agency serves is evident in our refreshed website at [www.sba.gov](http://www.sba.gov). A major technology emphasis is to improve our accessibility standards to not only meet but to surpass legal requirements and the standards of the President's Open Government initiative.

3. Have your agency's FOIA professionals interacted with other agency staff (such as technology specialists or public affairs or communications professionals) in order to identify if there are any new ways to post agency information online?

No.

***Use of Technology to Facilitate Processing of Requests:***

4. Did your agency conduct training for FOIA staff on any new processing tools during the reporting period, such as for a new case management system, or for search, redaction, or other processing tools?

Yes. At the end of Fiscal Year 2014, SBA purchased rights to use the web-based FOIA Online System along with several other federal agency partners. During Fiscal Year 2015, the Office of Hearings and Appeals FOIA team rolled out the tracking system agency-wide and provided decentralized FOIA coordinators and liaisons with hands-on training events to learn the system.

5. Beyond using technology to redact documents, is your agency taking steps to use more advanced technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents? If yes, describe the technological improvements being made.

No.

6. Are there additional tools that could be utilized by your agency to create further efficiencies?

No.

***Other Initiatives:***

7. Did your agency successfully post all four quarterly reports for Fiscal Year 2015?

SBA's quarterly reports for Fiscal Year 2015 are posted to the Agency's website. However, there are some inconsistencies with the URL information reported to OIP versus what has been posted and data format issues. The OHA FOIA team's personnel will work to resolve these technical issues to comply with reporting requirements as soon as possible.

8. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2016.

As a part of the FOIA Chief Officer reporting process, OIP notified SBA's FOIA Chief of the inconsistencies and incorrect formatting issues that prevent it from posting the Agency's quarterly reports to FOIA.gov. The FOIA Chief is tasked to correct these outstanding issues and ensure that SBA's Fiscal Year 2015 quarterly reports are posted to FOIA.gov immediately. Moving forward, SBA's OHA FOIA team will collaborate with OCIO personnel to ensure that the quarterly reports are submitted in compliance with OIP technical guidelines.

9. Do your agency's FOIA professionals use e-mail or other electronic means to communicate with requesters whenever feasible?

Yes.

If yes, what are the different types of electronic means that are utilized by your agency to communicate with requesters?

Email (decentralized, used by all components)

FOIA Online System (decentralized, used by all components)

10.. If your agency does not communicate electronically with requesters as a default, are there any limitations or restrictions for the use of such means?

No

If yes, does your agency inform requesters about such limitations?

N/A

## **Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs**

The President's **FOIA Memorandum** and the Attorney General's **2009 FOIA Guidelines** have emphasized the importance of improving timeliness in responding to requests. This section of your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations.

*For the figures required in this Section, please use the numbers contained in the specified sections of your agency's 2015 Annual FOIA Report and, when applicable, your agency's 2014 Annual FOIA Report.*

**Simple Track:** Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

1. Does your agency utilize a separate track for simple requests?

No.

2. If so, for your agency overall in Fiscal Year 2015, was the average number of days to process simple requests twenty working days or fewer?

N/A

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2015 that were placed in your simple track.

N/A

4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

Yes.

**Backlogs:** Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal year.

You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2014 and Fiscal Year 2015 when completing this section of your Chief FOIA Officer Report.

## **BACKLOGGED REQUESTS**

5. If your agency had a backlog of requests at the close of Fiscal Year 2015, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2014?

The Agency's FY 2015 backlog did not decrease from FY 2014. However, the number of backlogged cases that SBA reported in FY 2014 and FY 2015 represent less than 1% of the total cases received for each year. In FY 2014, SBA reported one backlogged case of 1306 FOIA cases received. In FY 2015, SBA reported a slight increase of seven backlogged cases of 955 cases received.

6. If not, explain why and describe the causes that contributed to your agency not being able reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

SBA's two most senior government information specialists retired at the close of FY 2014. During FY 2015, all of the responsibilities to manage the Agency's FOIA program were handled by one government information specialist and one Agency Attorney acting as the FOIA Chief. While the team was not fully staffed, the two individuals assigned to the FOIA Office were successful to rollout and train the Agency staff on a new FOIA information system, FOIA Online.

7. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests *received* by your agency in Fiscal Year 2015.

$7 \text{ (\# of backlogged requests for FY 2015)} \div 955 \text{ (FY 2015 requests received)} = 0.0073 \times 100 = .7 \text{ or } <1\%$

## **BACKLOGGED APPEALS**

8. If your agency had a backlog of appeals at the close of Fiscal Year 2015, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2014?

No.

9. If not, explain why and describe the causes that contributed to your agency not being able reduce backlog. When doing so, please also indicate if any of the following were contributing factors:

SBA reported zero backlogged appeals in FY 2014. SBA reported one backlogged appeal in FY 2015. The increase was negligible during a period of time when the FOIA team was not fully staffed and the existing team members had to manage training for the change to a new FOIA system agency-wide.

10. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals *received* by your agency in Fiscal Year 2015. If your agency did not receive any appeals in Fiscal Year 2015 and/or has no appeal backlog, please answer with "N/A."

1 (FY 2015 backlogged appeal) ÷ 29 (total FY 2015 appeals received) = 0.034 x 100 = 3.4%

***Backlog Reduction Plans:***

***Status of Ten Oldest Requests, Appeals, and Consultations:*** Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2014 and Fiscal Year 2015 when completing this section of your Chief FOIA Officer Report.

11. In the 2015 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1,000 requests in Fiscal Year 2014 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2015.

N/A

12. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2015, what is your agency's plan to reduce this backlog during Fiscal Year 2016?

N/A

**TEN OLDEST REQUESTS**

13. In Fiscal Year 2015, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

Yes

14. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

N/A

15. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?

None were withdrawn.

#### **TEN OLDEST APPEALS**

16. In Fiscal Year 2015, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

Yes.

17. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

N/A

#### **TEN OLDEST CONSULTATIONS**

18. In Fiscal Year 2015, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2014 Annual FOIA Report?

N/A

19. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2014 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

#### ***Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans:***

20. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2014.

None

21. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

N/A

22. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those "ten oldest" requests, appeals, and consultations during Fiscal Year 2016.

N/A

***Interim Responses:***

23. Does your agency have a system in place to provide interim responses to requesters when appropriate?

Yes. All SBA FOIA professionals are trained to provide interim responses to requesters in certain circumstances when the complexity of the search and/or volume of responsive records requires the FOIA professional to breakdown the responsive records in smaller batches. SBA's FOIA professionals send interim communications with the records available for release until a final response that completes delivery of all responsive documents can be issued.

24. If your agency had a backlog in Fiscal Year 2015, please provide an estimate of the number or percentage of cases in the backlog where a substantive, interim response was provided during the fiscal year, even though the request was not finally closed.

100%.

**Use of the FOIA's Law Enforcement Exclusions**

1. Did your agency invoke a statutory exclusion, 5 U.S.C. § 552(c)(1), (2), (3), during Fiscal Year 2015?

No.

2. If so, please provide the total number of times exclusions were invoked.

N/A



## **SBA Success Story**

*Out of all the activities undertaken by your agency since March 2015 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency's efforts. The success story can come from any one of the five key areas. As noted above, these agency success stories will be highlighted during Sunshine Week by OIP. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.*

SBA's FOIA administration success story is the agency's growing commitment to transparency and access to public information about its programs and operations. Administrator Maria Contreras-Sweet began leading change to publicize SBA's great resources by encouraging SBA's personnel and services to be (Smart, Bold, and Accessible) when she became the 24th Administrator of the U.S. Small Business Administration and a member of President Obama's Cabinet on April 7, 2014.

SBA proactively publishes agency documents, operations data, and entrepreneurship development tools and resources on [www.sba.gov](http://www.sba.gov). These items are of great interest to emerging entrepreneurs, small business owners, community business partners, attorneys, news media, academics, and the general public.

SBA's talented employees actively engage the public through online resources, the SBA National Answer Desk, and direct public engagement through SBA's local District and Regional Offices to make the Agency's products and services widely known. SBA's employees proactively communicate the Agency's mission and where the available resource tools can be found to help "start and grow an American business." SBA's growing commitment to transparency is in direct correlation to the declining number of FOIA requests that it receives each year. Proactive disclosure of public information and accessible resource tools eliminate the need for the public to submit requests seeking that information.

The OHA FOIA team is committed to making proactive disclosure of frequently requested records and training SBA personnel to write final decision, Agency business records that can be fully disclosed to the public. We will continue to leverage the expertise of internal, cross-functional teams (OCIO, OCPL, FOIA, and SBA programs) to increase the public's access to Agency information and decrease the number of incoming FOIA requests.