



U.S SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

April 8, 2013

The Honorable Tom Coburn
Ranking Member
Subcommittee on Financial and
Contracting Oversight
United States Senate
Washington, DC 20510

Dear Senator Coburn:

Per your request for information on how the U.S. Small Business Administration (SBA) manages Freedom of Information Act (FOIA) requests enclosed please find the answers to the questions outlined in your request. If you have any questions or concerns, please contact me at (202) 205-6335. A similar response is being sent to Chair McCaskill.

Sincerely,

Nicholas J. Coutsos
Assistant Administrator
Congressional and Legislative Affairs

Enclosure

1. It appears that the only means to submit a FOIA request is through mail, fax or email. Has the SBA considered developing an online FOIA request application?

The majority of all FOIA requests received by SBA are submitted online to either the FOIA Inbox (foia@sba.gov) or to a FOIA Public Liaison or FOIA Requester Service Center Staff member here at SBA. As stated in our online "General FOIA Information" webpage (<http://www.sba.gov/about-sba-services/14201>), SBA does not require a special form to submit a request, and each requester may create a request that meets their individual needs.

2. Will the SBA automatically direct requests to all relevant offices of components? If not, why not?

Yes, SBA automatically directs all requests to the relevant Agency office(s) that may maintain information.

3. To what extent may requesters track their requests online?

The FOIA software used by SBA is an internal system that is not designed to allow public interface. However, requesters are always provided contact information, including a tracking number assigned to each individual FOIA request, which allows them to contact SBA for status reports.

4. How are FOIA requests tracked within the SBA?

Each FOIA request is assigned to the FOIA contact within the Agency office(s) to which the request (or portion thereof) applies. These contacts ensure that disclosable information that is responsive to the request is gathered, submitted, and remitted through SBA's FOIA Tracking and Case Management System. SBA's Freedom of Information/Privacy Acts Office monitors the system on a daily basis to help ensure proper legal compliance, timely responsiveness, and effective customer service.

5. Does the SBA use software or dedicated hardware acquired from or managed by contractors to process or respond to FOIA requests? If so, please provide the name of the contractor, contract number, a description of the contract scope and the work performed, the contract start and end dates, and the contract costs for the past four years, including base and options values, as well as obligated amount.

Yes, SBA uses AccessPro Case Management software to process, respond to, and manage its FOIA requests. This software is an automated, FOIA-specific case tracking and reporting system. It allows SBA to track all response actions, perform administrative tasks, generate reports (i.e., the Annual FOIA Report), manage correspondence, and redact documents. The contract (SBAHQ-10-F-0276) was awarded to Digidoc Inc. for a total of \$188,000. The services provided were implementation, data migration, 130 licenses, employee training, and system maintenance.

6. Do contractors process FOIA requests, make determinations, calculate fees, or participate in the FOIA request or response process? If so, please provide the name of the contractor, contract number, a description of the contract scope and the work performed, the contract state and end dates, and the contract costs for the past four years, including base and options value, as well as obligated amount.

Contractors do not process SBA FOIA requests.

7. If a determination is made to release documents or information to a requester, are the documents and information made public? If so, in what format and where are they made available?

SBA frequently posts requested data on the "Frequently Requested Records" webpage (<http://www.sba.gov/about-sba-services/7589>). And in compliance with the President's Open Government initiative, SBA program offices proactively post information derived from a FOIA request on their own homepages. But since many of SBA's records are commercial in nature and/or protected by the Privacy Act, public posting of some information may not be appropriate.

8. What percentage of responses are made electronically?

Over 90 percent of SBA responses are electronically provided.

9. Is the SBA aware of the FOIA Online portal? Has the Department considered joining FOIA Online? Why or why not.

Yes, SBA first became aware of the FOIA Online portal after our current FOIA AccessPro System had been procured and fully deployed. In the future, and as the necessary funding becomes available, we will look into the possibility of participating in the FOIA Online portal.