



U.S. Small Business
Administration

**If you have any questions regarding this report, please contact SBA's FOIA Branch Chief, Oreoluwa Fashola, at oreoluwa.fashola@sba.gov.*

Content of Fiscal Year 2026 Chief FOIA Officer Reports (High-Volume Agencies)

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(SBA Chief FOIA Officer)

EXECUTIVE SUMMARY

Within the Small Business Administration (SBA), day-to-day FOIA operations are decentralized. As a result, each of the agency's component offices has been given the flexibility to design a program that meets its needs. Each component, including headquarters, field offices, and loan centers, has its own FOIA point of contact that processes requests and responds directly to requesters.

The Office of Hearings and Appeals (OHA) is responsible for providing Agency-wide guidance regarding FOIA compliance, making administrative appeal determinations, assigning requests, and monitoring FOIA performance, including the statutorily mandated FOIA Annual Report. The Office of General Counsel (OGC) provides legal advice on complex substantive FOIA matters and represents the Agency in FOIA litigation.

Section I: FOIA LEADERSHIP AND APPLYING THE PRESUMPTION OF OPENNESS

The guiding principle underlying the Attorney General's 2022 [FOIA Guidelines](#) is the presumption of openness. The Guidelines also highlight the importance of agency leadership in ensuring effective FOIA administration. Please answer the following questions about FOIA leadership at your agency and

describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA.

A. Leadership Support for FOIA

1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at least at the Assistant Secretary or equivalent level. See 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at or above this level?

Yes

2. Please provide the name and title of your agency's Chief FOIA Officer.

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3. What steps has your agency taken to incorporate FOIA into its core mission? For example, has your agency incorporated FOIA milestones into its strategic plan?

While the Agency has not incorporated FOIA-specific milestones into its formal strategic plan, the Agency has taken steps to integrate FOIA into its core mission through operational practices, leadership oversight, and performance management.

FOIA is treated as a key mission-support function that advances transparency and accountability. The SBA FOIA Office provides guidance to SBA program offices nationwide to ensure FOIA responsibilities are understood and incorporated into day-to-day operations, including records management and information-sharing practices.

SBA leadership officials receive regular updates on FOIA performance, including timeliness, backlog levels, and proactive disclosure efforts, which are used to identify challenges and inform process improvements. In addition, FOIA requirements are reflected in internal policies, standard operating procedures, and training provided to FOIA professionals and program office staff.

The Agency also considers FOIA obligations in connection with technology and process improvements intended to support more efficient search, review, and disclosure of records. Through these efforts, the Agency has integrated FOIA into its ongoing operations, even though FOIA milestones are not specifically articulated in the Agency's strategic plan.

B. Presumption of Openness

4. The Attorney General’s 2022 FOIA Guidelines provide that “agencies should confirm in response letters to FOIA requesters that they have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.” Does your agency provide such confirmation in its response letters?

The Agency continues to reinforce DOJ’s FOIA Guidelines through training and guidance and is working to promote greater consistency across component offices. Additionally, at the administrative appeal stage, OHA explicitly applies and documents the foreseeable harm standard in its decisions.

5. In some circumstances, agencies may respond to a requester that they can neither confirm nor deny the existence of requested records if acknowledging the existence of records would harm an interested party protected by a FOIA exemption. This is commonly referred to as a *Glomar* response. If your agency tracks *Glomar* responses, please provide:

- *The number of times your agency issued a full or partial Glomar response during Fiscal Year (FY) 2025 (please separate full and partial Glomar responses if possible).*

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- *The number of times a Glomar response was issued by exemption during FY 2025 (e.g., Exemption 7(C) – 20 times, Exemption 1 – 5 times).*

Ex. 1 – 0

Ex. 7(A) – 30

Ex. 7(B) – 0

Ex. 7(C) – 19

Ex. 7(D) – 1

Ex. 7(E) – 3

Ex. 7(F) – 0

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

SBA reinforces the presumption of openness through ongoing collaboration between OHA and the program offices, training that emphasizes discretionary releases and segregability, and independent review at the administrative appeal stage by OHA, which applies a documented foreseeable harm analysis when evaluating exemption use.

Section II: ENSURING FAIR AND EFFECTIVE FOIA ADMINISTRATION

DOJ's 2022 [FOIA Guidelines](#) provide that “ensuring fair and effective FOIA administration requires . . . proper training, and a full understanding of FOIA obligations by the entire agency workforce.” The Guidelines reinforce longstanding guidance to “work with FOIA requesters in a spirit of cooperation.” DOJ also “urges agency Chief FOIA Officers to undertake a comprehensive review of all aspects of their agency’s FOIA administration” as part of ensuring fair and effective FOIA administration.

A. FOIA Training

1. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.

SBA ensures that FOIA training is made available to agency personnel through multiple channels. Online FOIA training resources are accessible to employees through the Agency’s learning management system, allowing staff to complete training on demand.

In addition, the OHA has partnered with the Office of General Counsel to provide targeted FOIA training to SBA FOIA POCs, with a focus on statutory requirements, exemption application, navigation of the Agency’s FOIA case management system, and recent DOJ guidance. These training efforts support a consistent understanding of FOIA responsibilities across the Agency’s decentralized FOIA program.

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

Yes.

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

SBA employees attended the following DOJ training:

- *FOIA Advisory Committee Meetings*
- *Chief FOIA Officers’ Council Meetings*
- *FOIA Advisory Committee Meetings*
- *Introduction to the FOIA Workshop*

- *Exemption 4 and Exemption 5 Training*
- *Privacy Considerations Training*

4. Please 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%

5. 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

6. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff, and if senior leaders at your agency received a briefing on your agency’s FOIA resources, obligations, and expectations during the FOIA process.

Non-FOIA professionals are informed of their FOIA obligations through agency-wide communications and leadership briefings. OHA shares external and internal FOIA training opportunities through recurring SBA Daily newsletter notifications and email communications, and the OGC FOIA Counsel provides periodic briefings to senior leaders on FOIA responsibilities, resources, and expectations for program office engagement in the FOIA process.

B. Outreach

7. As part of the standard request process, do your FOIA professionals proactively contact requesters concerning complex or voluminous requests in an effort to clarify or narrow the scope of the request so requesters can receive responses more quickly? Please describe any such outreach or dialogue and, if applicable, any specific examples.

Yes, on many occasions, OHA, in partnership with OGC, has assisted the program offices in contacting requesters to clarify or narrow the scope of requests and explain how Agency records are maintained.

8. Outside of the standard request process or routine FOIA Liaison or FOIA Requester Service Center interactions, did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? For example, did you proactively contact frequent requesters, host FOIA-related conference calls with open government groups, or provide FOIA training to members of the public? Please describe any such outreach or dialogue and, if

applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration.

During the reporting period, the Agency did not engage in formal outreach or dialogue with the requester community or open government groups outside of the standard FOIA request process and routine FOIA Liaison or FOIA Requester Service Center interactions.

However, OHA and OGC regularly communicate with requesters on a case-by-case basis to clarify requests, discuss processing issues, and provide status updates, which supports transparency and efficient administration of the FOIA. The Agency continues to evaluate opportunities for future outreach activities as resources permit.

9. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during the Fiscal Year 2022 (please provide a total number or an estimate of the number).

Estimate - 4300

C. Other Initiatives

10. Has your agency evaluated the allocation of agency personnel resources needed to respond to current and anticipated FOIA demands? If so, please describe what changes your agency has or will implement.

Yes. The Agency has evaluated FOIA staffing needs and adjusted personnel resources to address current and anticipated demands. OGC added two additional attorneys and two paralegals to support FOIA processing, and multiple program offices increased FOIA-related staffing. For example, the Office of Capital Access designated two FOIA professionals to process Headquarters' requests and expanded staffing in its loan centers, while the Office of Inspector General added two attorneys and a paralegal to support FOIA work.

11. How does your agency use data or processing metrics to ensure efficient management of your FOIA workload? For example, case management reports, staff processing statistics, etc. In addition, please specifically highlight any data analysis methods or technologies used.

OHA uses FOIA case management reports and quality control metrics to monitor workload and processing performance. These reports are shared with program offices with the highest FOIA caseloads to support priority setting, workflow improvements, and efficient management of FOIA requests.

12. Optional -- If there are any other initiatives undertaken by your agency to ensure fair and effective FOIA administration, please describe them here.

In addition to formal FOIA processing procedures, the Agency undertakes several practices to support fair and effective FOIA administration. FOIA professionals coordinate with program offices to promote consistent application of FOIA requirements, including proper use of exemptions and the release of reasonably segregable information.

The Agency emphasizes quality control through review of FOIA determinations and ongoing communication with program offices that have higher FOIA caseloads. At the administrative appeal stage, the Office of Hearings and Appeals conducts an independent review of FOIA determinations, promoting consistency, accountability, and adherence to DOJ guidance.

The Agency also supports fair administration by encouraging early engagement with requesters to clarify scope and manage expectations, helping to reduce processing delays and improve the overall FOIA experience.

Section III: PROACTIVE DISCLOSURES

DOJ's 2022 [FOIA Guidelines](#) emphasize that “proactive disclosure of information is . . . fundamental to the faithful application of the FOIA.” The Guidelines direct agencies to post “records online quickly and systematically in advance of any public request” and reiterate that agencies should post records “in the most useful, searchable, and open formats possible.”

1. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures.

In coordination with OGC and program offices, the Agency identifies records that are frequently requested or of public interest for proactive disclosure under 5 U.S.C. § 552(a)(2). Opinions, pleadings, and orders, as well as administrative manuals, policy statements, and interpretations, are posted to the SBA's website and updated by the responsible program offices as new actions occur.

2. Does your agency post logs of its FOIA requests?

No

- If so, what information is contained in the logs?

N/A

- Are they posted in CSV format? If not, what format are they posted in?

N/A

- Please provide a link to the page where any FOIA logs are posted. If applicable, please provide component links.

N/A

3. Provide examples of any material (with links) that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D).

[Dataset - U.S. Small Business Administration \(SBA\) | Open Data](#)

4. Please provide a link (or component links, if applicable) where your agency routinely posts its frequently requested records.

The Agency's most significant proactive disclosure postings are SBA's complete loan level 7(a) and 504 data sets and data dictionary from January 1, 1990, to the present, found here:

[7\(a\) & 504 FOIA - Dataset - U.S. Small Business Administration \(SBA\) | Open Data](#)

These data sets represent the agency's most frequently requested information.

In addition, SBA has also posted data from the Paycheck Protection Program:

[PPP data | U.S. Small Business Administration](#)

SBA has also posted information on various funding programs authorized by the CARES Act for small businesses:

Economic Injury Disaster Loans (EIDL)

<https://www.sba.gov/document/report-covid-19-eidl-reports-2020>

<https://www.sba.gov/document/report-covid-19-eidl-advance-reports-2020>

<https://www.sba.gov/document/report-covid-19-eidl-reports-2022>

<https://data.sba.gov/dataset/covid-19-eidl>

Restaurant Revitalization Fund

<https://data.sba.gov/dataset/rrf-foia>

Shuttered Venue Operators Grant

<https://www.sba.gov/funding-programs/loans/covid-19-relief-options/shuttered-venue-operators-grant/svog-data>

5. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website? If yes, please provide examples of such improvements, such as steps taken to post information in open and machine-readable formats. If you are not taking steps to make posted information more useful, please explain why.

Yes. Beyond posting new material, the Agency takes steps to improve the usefulness of information available on its website. The Office of Communications and Public Liaison (OCPL), which is responsible for maintaining www.sba.gov, continuously evaluates the website to improve organization, accessibility, and usability for the public.

These efforts include updating content presentation, improving navigation, and working with program offices to ensure posted materials remain current and accessible. Through these ongoing evaluations and updates, the Agency seeks to make posted information more useful to members of the public who regularly access the website.

<https://www.sba.gov/about-sba/open-government/about-sbagov-website/accessibility>

<https://www.sba.gov/about-sba/open-government/foia>

6. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office, such as IT or data personnel? If so, describe this interaction.

Yes. The Agency's proactive disclosure efforts involve coordination among multiple offices outside the FOIA office. OHA works closely with program offices and OGC to identify records appropriate for proactive disclosure and to determine legal releasability.

In addition, the Office of the Chief Information Officer (OCIO) and OCPL support proactive disclosure efforts by assisting with technical requirements, including ensuring that posted materials are compliant with Section 508 accessibility standards. This coordination helps ensure that proactively disclosed information is both legally appropriate and accessible to the public.

7. Optional- Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area.

The Agency's proactive disclosure practices focus on identifying records that are frequently requested or of significant public interest and coordinating with program offices and OGC to post such materials where appropriate. Ongoing collaboration with OCIO and OCPL helps ensure that proactively disclosed materials are accessible and compliant with Section 508 requirements.

Challenges to expanding proactive disclosures include the Agency's decentralized structure, the volume and complexity of records held by different program offices, and the need to balance transparency with statutory and privacy protections. The Agency continues to evaluate opportunities to strengthen proactive disclosure practices consistent with available resources and program office responsibilities.

Section IV: Steps Taken to Greater Utilize Technology

A key component of FOIA administration is using technology to make information available to the public and to gain efficiency in FOIA processing. DOJ's 2022 [FOIA Guidelines](#) emphasize the importance of making FOIA websites easily navigable and complying with the [FOIA.gov](#) interoperability requirements. Please answer the following questions to describe how your agency is using technology to improve its FOIA administration and the public's access to information.

1. Has your agency reviewed its FOIA-related technological capabilities to identify the resources needed to respond to current and anticipated FOIA demands?

Yes

2. Please briefly describe any new types of technology your agency began using during the reporting period to support your FOIA program.

During the reporting period, the Agency continued to use and enhance technology tools to support its FOIA program. The Agency utilizes FOIAXpress as its electronic FOIA case management system to track requests, manage records, and support efficient processing. The system is periodically updated to address emerging FOIA workload demands and improve processing efficiency.

In support of FOIA litigation, the Office of General Counsel uses an eDiscovery platform, Relativity, which assists with de-duplication and advanced search capabilities. These tools help reduce the volume of potentially responsive records and support collaboration with requesters to identify records of interest and narrow request scope where appropriate.

In addition, the Office of the Chief Information Officer assists program offices with electronic records searches using Microsoft Purview, which supports the identification and retrieval of responsive electronic records across Agency systems.

3. Does your agency currently use any technology to automate request intake, customer service, or record processing? For example, does your agency use artificial intelligence or other tools to conduct searches or make redactions? If so, please describe and, if possible, estimate how much time and financial resources are saved since implementing the technology.

Yes. The Agency uses FOIAXpress to support automated FOIA request intake, tracking, and requester communications. In addition, OGC uses the Relativity eDiscovery platform to support record searches and de-duplication in FOIA litigation, and OCIO assists program offices with electronic records searches using Microsoft Purview. The Agency does not use artificial intelligence to make FOIA determinations or automated redactions and has not quantified specific time or cost savings associated with these tools.

4. OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?

Yes.

5. Did all four of your agency's quarterly reports for the Fiscal Year 2024 appear on your agency's website and on FOIA.gov?

No

6. 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 the Fiscal Year 2025.

While the Agency did not post its quarterly reports in the reporting period, this gap has since been identified and corrected. All outstanding quarterly reports have now been uploaded. The Agency has taken steps to ensure that future reports are uploaded on time.

7. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2024 Annual FOIA Report and, if available, for your agency's Fiscal Year 2025 Annual FOIA Report.

[SBA Annual FOIA Reports - Dataset - U.S. Small Business Administration \(SBA\) | Open Data](#)

8. In February 2019, DOJ and OMB issued joint [Guidance](#) establishing interoperability standards to receive requests from the National FOIA Portal on FOIA.gov. Are all components of your agency in compliance with the guidance?

Yes

9. Optional -- Please describe your agency's best practices in better utilizing technology and any challenges your agency faces in this area.

The Agency promotes effective use of technology by providing routine training to FOIAXpress end-users on system features that support efficient FOIA processing. Challenges include varying technical familiarity among users and differences in record systems across program offices, which can affect consistent use of available technology.

Section V: STEPS TAKEN TO REMOVE BARRIERS TO ACCESS, IMPROVE TIMELINESS IN RESPONDING TO REQUESTS, AND REDUCE BACKLOGS

DOJ's 2022 [FOIA Guidelines](#) instruct agencies “to remove barriers to requesting and accessing government records and to reduce FOIA processing backlogs.” Please answer the following questions to describe how your agency is removing barriers to access, improving timeliness in responding to requests, and reducing FOIA backlogs.

A. Remove Barriers to Access

1. Has your agency established alternative means of access to first-party requested records outside of the FOIA process?

Yes.

2. If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know.

Once a requester's identity has been verified, certain records contained in loan files may be accessed through non-FOIA channels, such as individual loss reports, or requesters can access their loan files through designated electronic loan platforms. Providing access to these records outside of FOIA helps facilitate timely access for first-party requesters while reducing the need for formal FOIA processing where appropriate.

3. Please describe any other steps your agency has taken to remove barriers to accessing government information.

The Agency has taken steps to reduce barriers to accessing government information by using its FOIAXpress case management system to facilitate public access to the FOIA process. Through FOIAXpress, members of the public may submit FOIA requests electronically using the Public Access Link (PAL) system by creating an account.

FOIAXpress also allows requesters to communicate directly with Agency staff who are processing their requests through a built-in messaging feature, receive status updates on their requests, and obtain responsive records electronically. These functionalities help streamline the FOIA process, improve transparency, and reduce barriers to accessing Agency records.

B. Timeliness

4. For Fiscal Year 2025, 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 2025 Annual FOIA Report.

10

5. If your agency's average number of days to adjudicate requests for expedited processing was more than ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2025 Annual FOIA Report, 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

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

Yes.

7. If your agency uses a separate track for simple requests, according to the Annual FOIA Report section VII.A, was the agency's overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2025?

28

8. If not, did the simple track average processing time decrease compared to the previous Fiscal Year?

No.

9. Please provide the percentage of requests processed by your agency in Fiscal Year 2025 that were placed on your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100.

65%

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

N/A

C. Backlogs

BACKLOGGED REQUESTS

11. If your agency had a backlog of requests at the close of Fiscal Year 2025, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2024?

Yes

12. If not, according to the Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2025 than it did during Fiscal Year 2024?

N/A

13. If your agency's request backlog increased during the Fiscal Year 2025, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

N/A

14. 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 2025. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with "N/A."

2%

BACKLOGGED APPEALS

15. If your agency had a backlog of appeals at the close of Fiscal Year 2025, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2024?

No

16. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2025 than it did during Fiscal Year 2024?

Yes

17. If your agency's appeal backlog increased during Fiscal Year 2025, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

The Agency's FOIA appeal backlog increased during Fiscal Year 2025 primarily due to an increase in the number of incoming appeals. During the reporting period, the Agency experienced a higher volume of appeals than in prior periods, which contributed to the growth of the backlog.

In addition, a significant number of appeals were received in September, immediately prior to the government shutdown. Due to the shutdown, these appeals could not be processed as received and were instead carried over and addressed after the shutdown ended, which further contributed to the backlog increase.

The backlog increase was not attributable to a loss of staff, increased litigation, or a significant change in the complexity of appeals received during the reporting period.

18. 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 2025. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2025 and/or has no appeal backlog, please answer with "N/A."

25%

D. Backlog Reduction Plans

19. In the 2025 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2024 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 2025.

Yes. The Agency implemented a backlog reduction plan during the prior reporting period. As part of this effort, the FOIA Office worked closely with program offices with the highest number of overdue requests to focus on reducing their oldest pending cases. Specifically, these offices were encouraged to prioritize and close their ten oldest FOIA requests each month.

This targeted approach helped improve case flow and contributed to the Agency maintaining its FOIA backlog below 1,000 requests during Fiscal Year 2025.

If your agency had a backlog of more than 1,000 requests in Fiscal Year 2025, please explain your agency's plan to reduce this backlog during Fiscal Year 2026.

N/A

E. Reducing the Age of Requests, Appeals, and Consultations

21. In Fiscal Year 2025, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2024 Annual FOIA Report?

No

22. 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 2023 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

Yes, 7

23. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.

Beyond work on the ten oldest requests, the Agency took additional steps to reduce the overall age of its pending FOIA requests by focusing on sustained reductions within program offices with the highest number of overdue cases. The FOIA Office worked closely with the two program offices with the largest overdue caseloads to encourage the regular closure of older pending requests, including prioritizing the resolution of ten of their oldest cases each month.

This ongoing, targeted approach helped improve case flow, prevent the accumulation of aging requests, and contributed to a reduction in the overall age of the Agency's pending FOIA workload.

TEN OLDEST APPEALS

24. In Fiscal Year 2025, did your agency close the ten oldest appeals that were reported pending in Section VI.C.5 of your Fiscal Year 2024 Annual FOIA Report?

N/A, The Agency did not have any backlogged appeals reported in Section VI.C.5 of its Fiscal Year 2024 Annual FOIA Report. As a result, there were no ten oldest pending appeals from FY 2024 to close during Fiscal Year 2025.

25. 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 2024 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

N/A

26. Beyond working on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.

N/A

TEN OLDEST CONSULTATIONS

27. In Fiscal Year 2025, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2024 Annual FOIA Report?

SBA did not have backlogged consultations.

28. 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 2024 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

N/A

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

29. If your agency did not close its ten oldest pending requests, appeals, or consultations, please explain why and provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2026.

The Agency has focused on closing its oldest pending requests through targeted backlog management efforts.

In addition to working with program offices to prioritize and close their ten oldest pending requests on a monthly basis, the Agency has provided additional training to SBA staff on the effective use of FOIAXpress, including system features that support timely correspondence with requesters and efficient redaction of responsive records. These efforts are intended to support continued progress in addressing ageing requests and to prevent the accumulation of new backlogs going forward.

F. Additional Information about FOIA Processing

30. Were any requests at your agency, the subject of FOIA litigation, during the reporting period? If so, please describe the impact on your agency’s overall FOIA request processing and backlog. If possible, please indicate:

- The number and nature of requests subject to litigation.
- Common causes leading to litigation.
- Any other information to illustrate the impact of litigation on your overall FOIA administration.

During the reporting period, five FOIA requests were the subject of litigation. The litigation involved issues related to attorney’s fees, the application of Exemptions 4 and 6, and allegations of non-responsiveness.

These requests were generally complex and required significant internal and external coordination, as well as review of thousands of potentially responsive records. Litigation-related processing included the preparation of detailed Vaughn indices covering large volumes of produced records and the drafting of multiple declarations in support of the Agency’s FOIA determinations.

The litigation significantly affected FOIA operations by requiring substantial staff time and resources that otherwise would have been devoted to processing non-litigated FOIA requests. In addition, litigation resulted in increased personnel hours and costs associated with attorney fees, which had an impact on the Agency's overall FOIA workload and backlog management during the reporting period.