



U.S. SMALL BUSINESS ADMINISTRATION  
WASHINGTON, DC 20416

OFFICE OF GENERAL COUNSEL

September 23, 2021

Gene P. Hamilton  
America First Legal Foundation  
600 14th Street NW, 5th Floor  
Washington, D.C. 20005  
info@aflegal.org

Dear Mr. Hamilton,

This letter is in response to your Freedom of Information Act (“FOIA”) request No. SBA-2021-016121. You have requested the following:

- A. All records regarding, referring, or relating to SBA’s processing of FOIA Request SBA-2021-011608, including any communications related to AFL’s request for a fee waiver.
- B. All records regarding, referring, or relating to SBA’s processing of FOIA Request SBA-2021-014233, including any communications related to AFL’s request for a fee waiver.
- C. The final disposition of all fee waiver requests submitted by Austin Evers and/or American Oversight, Derek Martin and/or Accountable U.S., or Nikhel Sus and/or CREW for FOIA requests filed between January 20, 2017, and January 20, 2021.

SBA is releasing the attached documents that are responsive to your request. Redactions have been made pursuant to FOIA Exemptions 5 and 6. Exemption 5 protects deliberative and pre-decisional materials written as part of the decision-making process in federal agencies. Exemption 6 protects information about individuals in “personnel and medical files and similar files” when the disclosure of such information “would constitute a clearly unwarranted invasion of personal privacy.” The Exemption 6 redacted information consists of personal cell phone numbers, which clearly falls under the protection of FOIA exemption 6.

If you are dissatisfied with the Agency's decision, you may file an administration appeal within 90 days of the date of this letter to:

Office of Hearings and Appeals  
Attention: Oreoluwa Fashola, FOIA Office  
409 3rd Avenue, SW – 8th Floor  
Washington, D.C. 20416.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison in the Office of Hearings and Appeals, the Office of Government Information Services ("OGIS"), the Federal FOIA Ombudsman's Office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS,  
College Park, MD 20740-6001  
ogis@nara.gov ogis.archives.gov  
202-741-5770 877-684-6448.

Sincerely,

/s/ *Eric S. Benderson*

Eric S. Benderson  
Chief FOIA Officer  
Office of General Counsel  
U.S. Small Business Administration