



U.S. SMALL BUSINESS ADMINISTRATION  
WASHINGTON, DC 20416

OFFICE OF GENERAL COUNSEL

August 4, 2020

Austin R. Evers  
Executive Director  
American Oversight  
1030 15<sup>th</sup> Street, NW, Suite B255  
Washington, DC 20005  
[FOIA@americanoversight.org](mailto:FOIA@americanoversight.org)

Dear Mr. Evers,

This letter is in response to your Freedom of Information Act (“FOIA”) request No. SBA-2020-001203 in which you requested the following:

All records reflecting any directive, order, decision, protocols, or guidance regarding the following aspects of the Paycheck Protection Program:

- i. Any measures to ensure that lenders do not exhibit preferences amongst customers based on their amount of preexisting or potential future business
- ii. Any measures to ensure that lenders do not engage in discrimination based on race or color, national origin, sex, marital or familial status, age, handicap or disability, or religion

American Oversight believes a search for responsive records should include, at a minimum, all individuals within the front office of the Administrator and the office of the General Counsel.

Please provide all responsive records from March 25, 2020, through the date of the search.

SBA has performed a search of its records and no documents exist that are responsive to your request.

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 3<sup>rd</sup> Avenue, SW – 8<sup>th</sup> 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](mailto:ogis@nara.gov)  
[ogis.archives.gov](http://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