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Attorneys for Plaintiff
AMERICAN SMALL BUSINESS LEAGUE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AMERICAN SMALL BUSINESS
LEAGUE,

Plaintiff,

v.

UNITED STATES OFFICE OF
MANAGEMENT AND BUDGET and
UNITED STATES SMALL BUSINESS
ADMINISTRATION,

Defendants.

CASE NO.

**COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF UNDER THE
FREEDOM OF INFORMATION ACT (5
U.S.C. § 552)**

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INTRODUCTION

1
2 1. This is an action pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. §
3 552, for declaratory, injunctive, and other appropriate relief. Plaintiff American Small Business
4 League (“plaintiff” or “ASBL”) seeks disclosure, under FOIA, of records from defendant United
5 States Office of Management and Budget (“OMB”) showing the total federal acquisition budget
6 for Fiscal Years (“FY”) 2017, 2018, and 2019. The requested information is fundamental to the
7 public’s understanding of the amount of federal funds devoted to federal acquisition spending.
8 Moreover, it is important in ensuring that the proper amount of federal acquisition funds is
9 allocated to small business concerns, as required by law. Given the extent of records regarding the
10 federal government’s budget and records detailing the amount and types of federal spending per
11 year, the OMB must possess the requested records and is improperly withholding them from
12 disclosure.

13 2. ASBL also seeks an order compelling defendant United States Small Business
14 Administration (“SBA”) to process a number of FOIA requests without charging ASBL fees.
15 ASBL does not seek records for commercial use, so the SBA may not charge ASBL “review”
16 fees. 5 U.S.C. § 552(a)(4)(A)(ii)(I). Also, ASBL is a member of the news media, so the SBA may
17 not charge ASBL “search” or “review” fees. 5 U.S.C. § 552(a)(4)(A)(ii)(II). Finally, ASBL meets
18 the criteria for a waiver of all fees. 5 U.S.C. § 552(a)(4)(A)(iii). The SBA has directed ASBL to
19 pay thousands of dollars in improper fees before processing these FOIA requests, contrary to all
20 of these rules.

JURISDICTION

21
22 3. This Court has subject matter and personal jurisdiction over this action pursuant to
23 5 U.S.C. section 552(a)(4)(B) and 28 U.S.C. section 1331.

24 4. Venue is proper in this Court pursuant to 5 U.S.C. section 552(a)(4)(B) because
25 plaintiff has its principal place of business in Petaluma (Sonoma County), California, which is
26 located in the Northern District of California.

27 5. The OMB has constructively denied ASBL’s FOIA Appeal No. 2020-454 by
28

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1 failing to provide ASBL with a determination on the appeal by the statutory deadline. Plaintiff is
2 deemed to have exhausted its administrative remedies with respect to this FOIA request pursuant
3 to 5 U.S.C. section 552(a)(6)(C).

4 6. The SBA has constructively denied ASBL's FOIA Appeal Nos. SBA-2020-
5 002297, SBA-2020-002298, and SBA-2020-2415 by failing to provide ASBL with a
6 determination on the appeal by the statutory deadline. Plaintiff is deemed to have exhausted its
7 administrative remedies with respect to all subject FOIA requests pursuant to 5 U.S.C. section
8 552(a)(6)(C).

9 **INTRADISTRICT ASSIGNMENT**

10 7. Assignment to the San Francisco Division is proper pursuant to Civil L.R. 3-2(c)
11 and (d) because a substantial portion of the events giving rise to the action occurred in Sonoma
12 County and the City and County of San Francisco.

13 **PARTIES**

14 8. ASBL is an organization located in California, with its principal place of business
15 in Petaluma (Sonoma County), California. ASBL's core mission is to promote and advocate for
16 the interests of small business concerns through public policy change. A significant part of
17 ASBL's advocacy seeks to focus the public's attention on government programs intended to help
18 small businesses, and on instances in which these programs are failing to help small businesses as
19 intended. To accomplish this, ASBL reviews government policies and procedures and
20 investigates the effectiveness of government programs intended to help small businesses to see
21 whether the programs are operating appropriately and achieving their purposes. ASBL regularly
22 makes and analyzes responses to FOIA requests in its advocacy and oversight work. On multiple
23 occasions, ASBL has sued federal agencies to enforce its and the public's rights of access under
24 FOIA, and won. ASBL regularly publicizes and issues news releases about its litigation activities
25 and the government documents it obtains through them.

26 9. The OMB and SBA are "agencies" within the meaning of 5 U.S.C. section 552(f).

27 **FACTUAL BACKGROUND**

OMB FOIA Request No. 2020-319 (No. 2020-454)

1
2 10. On April 7, 2020, ASBL, through its counsel, submitted a FOIA request to the
3 OMB for records of “[a]ny and all documents indicating or containing the total federal acquisition
4 budget for FY 2017, FY 2018, and FY 2019.” The request was received and logged as OMB
5 FOIA No. 2020-319. A copy of FOIA Request No. 2020-319 is attached hereto as **Exhibit A**.

6 11. On June 9, 2020, the OMB issued its determination of ASBL’s FOIA Request. In
7 response to the request, the OMB asserted that there was no specific federal acquisition budget
8 for each year, and therefore, the OMB had no records responsive to ASBL’s FOIA Request. The
9 OMB then recommended that ASBL review the President’s Budget, a public document that
10 contains information on object class analysis for several object classes associated with acquisition
11 and contracting, and provided a link to one of the documents. A copy of the OMB’s
12 determination is attached hereto as **Exhibit B**.

13 12. On June 11, 2020, ASBL wrote to the OMB that it had reviewed the document
14 referenced in the OMB’s determination of June 9, 2020, and informed the OMB that it was not
15 responsive to any of the requests. The document referenced in the OMB’s response listed
16 proposed budgets for FY 2020 and FY 2021, neither of which pertained to any of the requests.
17 ASBL further stated that it found it unlikely that the federal government did not have any records
18 responsive to ASBL’s request. A copy of the document referenced in the OMB’s determination of
19 June 9, 2020 is attached hereto as **Exhibit C**.

20 13. On June 12, 2020, the OMB responded to ASBL’s correspondence by reiterating
21 its claim that it did not have records responsive to the request, and recommended that ASBL
22 check the information publicly available on USAspending.gov or the Federal Procurement Data
23 System for total dollars obligated on federal contracts. A copy of the OMB’s correspondence is
24 attached hereto as **Exhibit D**.

25 14. On June 19, 2020, ASBL sent correspondence to the OMB stating that the sources
26 recommended by the OMB did not contain the information that was initially requested and that
27 there was no reasonable method for a person to calculate the total amount of federal funds related
28

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1 to acquisition or spending on USAspending.gov and the Federal Data Procurement System.
2 ASBL reiterated that it found it unlikely that the federal government did not have any records that
3 were responsive to ASBL's FOIA request. A copy of ASBL's correspondence to the OMB dated
4 June 19, 2020 is attached hereto as **Exhibit E**.

5 15. On July 17, 2020, after receiving no response from the OMB, ASBL filed a formal
6 administrative appeal of its initial FOIA request on grounds that the OMB did not conduct a
7 diligent search and that it is highly unlikely that the federal government does not have a record of
8 its total acquisition budget, given that the federal government spends trillions of dollars per year
9 and has extensive records pertaining to spending and money obligated on federal contracts. A
10 copy of ASBL's administrative appeal is attached hereto as **Exhibit F**.

11 16. The OMB received ASBL's administrative appeal on July 17, 2020 and logged it
12 as OMB FOIA No. 2020-454. A copy of the OMB's confirmation of receipt of ASBL's
13 administrative appeal is attached hereto as **Exhibit G**.

14 17. To date, ASBL has not received a response from the OMB regarding its
15 administrative appeal.

16 18. ASBL has exhausted its administrative remedies with respect to OMB FOIA No.
17 2020-454.

18 **FOIA Request No. SBA-2020-000565 (Appeal No. SBA-2020-002415)**

19 19. On April 9, 2020, ASBL, pursuant to the FOIA, requested the following records:

- 20 • All documents indicating the names and salaries of each current employee
21 of the Small Business Administration's (SBA) Press Office
- 22 • All documents indicating, concerning, or referring to all outbound calls
23 made by every employee of the SBA's Press Office between June 1, 2019
24 and March 31, 2020
- 25 • All records of communications (written, oral, and electronic) indicating,
26 concerning, or referring to outbound calls made by every employee of the
27 SBA's Press Office between June 1, 2019 and March 31, 2020
- 28 • All documents indicating, concerning, or referring to any and all inbound
and outbound calls for Terry Sutherland between June 1, 2019 and March
31, 2020

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- All records of communications (written, oral, and electronic) indicating, concerning, or referring to any and all inbound and outbound calls for Terry Sutherland between June 1, 2019 and March 31, 2020

A copy of ASBL's FOIA request is attached hereto as **Exhibit H**. In addition to the records, ASBL requested a waiver of all fees associated with processing the request. On April 23, 2020, ASBL, through counsel, clarified in a phone call with SBA Senior Legal Counsel David Fishman that the request also sought SBA press office correspondence containing a number of specified search terms related to, among other things, COVID-19 and the Paycheck Protection Program ("PPP").

20. On May 7, 2020, Terrence Sutherland of the SBA responded to ASBL's fee waiver request stating:

ASBL does not qualify [for a waiver under an education exception] because it is not an institution of higher learning and vocational education.

In response to ASBL's claim that fees should be waived because disclosure is in the public interest, the SBA responded:

SBA finds that you have not submitted information sufficient to qualify for a public interest fee waiver because you have failed to address the four factors set forth above.

After denying ASBL's request for a fee waiver, the SBA, through Mr. Sutherland, demanded that ASBL pay a staggering \$12,584 before the agency would respond to ASBL's FOIA request. Mr. Sutherland's letter explained this huge charge as follows:

The estimate is based upon two hours of computer run time to identify the e-mails responsive to your request, which cost \$200.00. Additionally, it is estimated that it will take at least 18 days to review the more than 70,000 emails, determine appropriate releasable material, and redact the responsive material for privilege and exclusions. This is billed at a rate of \$86.00 per hour. As such, the total estimated cost for the requested material is \$12,584.00.

Thus, the charge consisted almost entirely of "review" fees, supplemented by \$200 in "search" fees. Mr. Sutherland stated that the SBA would not respond to ASBL's request until the charge was paid. A copy of the SBA's response is attached hereto as **Exhibit I**.

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1 21. ASBL responded to Mr. Sutherland's letter on May 12, 2020, asserting that the
2 fees charged were improper under FOIA and explaining its reasoning; stating that "ASBL
3 intends to use this information to further the organization's noncommercial purposes of
4 promoting and advocating policies in response to the events leading up to and including the
5 enactment of the CARES Act, and in general advocating policies which aid small businesses,
6 which many people refer to as 'the backbone of the American economy.' "; and demanding that
7 the SBA respond to the request within 21 days of the date of the letter. A copy of ASBL's letter
8 of May 12, 2020 is attached hereto as **Exhibit J**. The SBA never responded and thereby refused
9 to reconsider its denial of the fee waiver request.

10 22. On July 15, 2020, ASBL timely submitted an administrative appeal on the
11 grounds that the SBA's fee assessment was excessive and inconsistent with FOIA. A
12 copy of ASBL's administrative appeal to the SBA is attached hereto as **Exhibit K**.

13 23. The SBA confirmed submission of ASBL's administrative appeal on July
14 22, 2020 and logged ASBL's appeal as SBA-2020-002415. A copy of an email
15 correspondence confirming receipt of FOIA Appeal No. SBA-2020-002415 is attached
16 hereto as **Exhibit L**.

17 24. Over 20 working days have passed since ASBL submitted its administrative
18 appeal. To date, ASBL has not received any correspondence from Mr. Sutherland or the SBA
19 regarding ASBL's letter of May 12, 2020, or any response from the SBA regarding ASBL's
20 administrative appeal.

21 25. ASBL is entitled to a fee waiver under 5 U.S.C. section 552(a)(4)(A)(iii) because
22 disclosure of the information is in the public interest as it is likely to contribute significantly to
23 public understanding of the operations or activities of the government and disclosure of the
24 information is not primarily in the commercial interest of the requester. 13 C.F.R. § 102.8(l)(1).
25 In a prior case in this district, a court awarded ASBL attorney's fees based on its analysis of
26 similar factors. *American Small Business League v. Small Business Administration*, No. C 08–
27 00829 MHP, 2009 WL 1011632 at *5 (N.D. Cal. 2009). ASBL is a policy advocacy group, and
28

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1 did not make the requests at issue here to further any commercial, trade, or profit interest. The
2 requests at issue here concern the operations of government, will likely contribute to an
3 understanding of specific government operations and activities, and will likely contribute
4 significantly to the public's understanding of those activities, because ASBL seeks information
5 regarding the SBA's handling of public money and public relations and FOIA disclosure policy
6 (including the SBA's reversal of the position stated in its PPP loan application form as to
7 disclosure of PPP loan applicant information) in the months before, during, and after the
8 government enacted and the SBA began implementing the multi-billion dollar PPP program. The
9 public has a right to know and a compelling interest in understanding why the SBA reversed itself
10 with respect to its PPP loan information disclosure, and how the SBA handled loan information
11 disclosure policy more broadly both before and during COVID-19. Also, ASBL has issued many
12 press releases since its inception, including press releases this year regarding the SBA and
13 ASBL's FOIA litigation, and ASBL's counsel has published opinion pieces regarding both ASBL
14 and the government's secrecy regarding programs which were intended to benefit small
15 businesses. ASBL's founder, Mr. Chapman, has often appeared in the press and on television to
16 discuss ASBL's findings. ASBL would seek to spread the word about what it learns from this
17 FOIA request.

18 26. Even if ASBL is not entitled to a fee waiver under 5 U.S.C. section
19 552(a)(4)(A)(iii) and 13 C.F.R. § 102.8(l)(1), by the SBA's own admission in its May 7, 2020
20 letter, the attempt to charge ASBL \$12,584, comprised of \$200 in search fees and \$12,384 in
21 review fees, was not lawful, for two reasons:

22 a. First, ASBL qualifies as a "representative of the news media" under FOIA
23 because it "gathers information of potential interest to a segment of the public, uses its editorial
24 skills to turn the raw materials into a distinct work, and distributes that work to an audience." 5
25 U.S.C. § 552(a)(4)(A)(ii)(II); 13 C.F.R. § 102.8(c)(6). In advocating for small businesses, ASBL
26 regularly gathers important information about the government's small business-related programs,
27 which is clearly of interest to the public, and uses its editorial skills to curate and publicize that
28

1 information in press releases and otherwise. As a result, the SBA may not charge ASBL search
 2 fees or review fees, the only two kinds of fees that the SBA attempted to charge ASBL here. *See*
 3 5 U.S.C. § 552(a)(4)(A)(ii)(II).

4 b. Second, the SBA can charge review fees only “when records are requested
 5 for commercial use” under 5 U.S.C. section 552(a)(4)(A)(ii)(I). Otherwise, the SBA’s fees are
 6 limited to “reasonable standard charges for document search and duplication” under 5 U.S.C.
 7 section 552(a)(4)(A)(ii)(III). ASBL’s request was not made for commercial use, because it does
 8 not “ask[] for information for a use or a purpose that furthers a commercial, trade, or profit
 9 interest.” 5 U.S.C. § 552(a)(4)(A)(ii)(I), (III); 13 C.F.R. § 102.8(c)(1). Quite the opposite – they
 10 are being requested by a policy advocacy organization to inform the public about government
 11 activities. Researching government activity regarding and advocating for what the government
 12 has declared should be small business protections benefits all Americans, as opposed to furthering
 13 its own “commercial, trade, or profit interest.” As a result, the SBA may not charge ASBL review
 14 fees, which constitute, by the SBA’s own admission, \$12,384 of the fees at issue here.

15 27. ASBL has exhausted its administrative remedies with respect to FOIA Request
 16 No. SBA-2020-000565.

17 **FOIA Request No. SBA-2020-001532 (Appeal No. SBA-2020-002297)**

18 28. On June 1, 2020, ASBL, through its counsel, submitted a FOIA request for “all of
 19 the emails in SBA’s possession regarding the Regional Regulatory Fairness Board, and all emails
 20 in SBA’s possession relating to, mentioning, received by or authored by Jeffrey Koenig and
 21 Jerome Toliver (who are on Region 9 of the Regional Regulatory Fairness Board), and Dr. Alison
 22 K. Brown.” A copy of an email confirmation received by ASBL’s counsel is attached hereto as
 23 **Exhibit M.**

24 29. On June 12, 2020, the SBA sent a processing fee estimate to ASBL, stating that
 25 the cost to process the FOIA request would be \$2,852. A copy of the SBA’s letter of June 12,
 26 2020 is attached hereto as **Exhibit N.** The SBA explained the fee as follows:

27 SBA estimates the initial costs of providing responsive non-privileged material to
 28 you at (computed at the GS-15 and above level) is \$2,852. The estimate is based

1 upon one hour of computer run time to identify the e-mails responsive to your
2 request, which costs \$100.00. Additionally, it is estimated that it will take at least
3 4 days to review the emails, determine appropriate releasable material, and redact
4 the responsive material for privilege and exclusions. This is billed at a rate of
5 \$86.00 per hour. As such, the total estimated cost for the requested material is
6 \$2,852.

7 30. On July 14, 2020, ASBL timely filed an administrative appeal of the SBA's
8 determination of June 12, 2020 with the SBA on grounds that the fee assessment was excessive
9 and inconsistent with FOIA. A copy of ASBL's administrative appeal received July 15, 2020 is
10 attached hereto as **Exhibit O**.

11 31. The SBA confirmed receipt of ASBL's administrative appeal on July 15, 2020 and
12 logged ASBL's appeal as SBA-2020-002297. A copy of an email correspondence confirming
13 receipt of FOIA Appeal No. SBA-2020-002297 is attached hereto as **Exhibit P**.

14 32. More than 20 working days have passed since ASBL's administrative appeal was
15 received. The SBA has yet to respond to ASBL regarding such appeal.

16 33. ASBL is entitled to a fee waiver under 5 U.S.C. section 552(a)(4)(A)(iii) because
17 disclosure of the information is in the public interest as it is likely to contribute significantly to
18 public understanding of the operations or activities of the government and disclosure of the
19 information is not primarily in the commercial interest of the requester, 13 C.F.R. § 102.8(l)(1),
20 as stated in Exhibit G. In a prior case in this district, a court awarded ASBL attorney's fees based
21 on its analysis of similar factors. *American Small Business League v. Small Business*
22 *Administration*, No. C 08-00829 MHP, 2009 WL 1011632 at *5 (N.D. Cal. 2009). ASBL is a
23 policy advocacy group, and did not make the requests at issue here to further any commercial,
24 trade, or profit interest. The requests at issue here concern the operations of government, will
25 likely contribute to an understanding of specific government operations and activities, and will
26 likely contribute significantly to the public's understanding of those activities, because ASBL
27 seeks information regarding the SBA's handling of public money and public relations and FOIA
28 disclosure policy (including the SBA's reversal of the position stated in its PPP loan application
form as to disclosure of PPP loan applicant information) in the months before, during, and after
the government enacted and the SBA began implementing the multi-billion dollar PPP program.

1 And disclosure will significantly contribute to the understanding of the public at large. For
2 example, the public has a right to know and a compelling interest in understanding why the SBA
3 reversed itself with respect to its PPP loan information disclosure, and how the SBA handled loan
4 information disclosure policy more broadly both before and during COVID-19. Also, ASBL has
5 issued many press releases since its inception, including press releases this year regarding the
6 SBA and ASBL's FOIA litigation, and ASBL's counsel has published opinion pieces regarding
7 both ASBL and the government's secrecy regarding programs which were intended to benefit
8 small businesses. ASBL's founder, Mr. Chapman, has often appeared in the press and on
9 television to discuss ASBL's findings. ASBL would seek to spread the word about what it learns
10 from this FOIA request.

11 34. Even if ASBL is not entitled to a fee waiver under 5 U.S.C. section
12 552(a)(4)(A)(iii) and 13 C.F.R. § 102.8(l)(1), by the SBA's own admission in its May 7, 2020
13 letter, the attempt to charge ASBL \$2,852, comprised of \$100 in search fees and \$2,752 in review
14 fees, was not lawful, for two reasons:

15 a. First, ASBL qualifies as a "representative of the news media" under FOIA
16 because it "gathers information of potential interest to a segment of the public, uses its editorial
17 skills to turn the raw materials into a distinct work, and distributes that work to an audience." 5
18 U.S.C. § 552(a)(4)(A)(ii)(II); 13 C.F.R. § 102.8(c)(6). In advocating for small businesses, ASBL
19 regularly gathers important information about the government's small business-related programs,
20 which is clearly of interest to the public, and uses its editorial skills to curate and publicize that
21 information in press releases and otherwise. As a result, the SBA may not charge ASBL search
22 fees or review fees, the only two kinds of fees that the SBA attempted to charge ASBL here. *See*
23 5 U.S.C. § 552(a)(4)(A)(ii)(II).

24 b. Second, the SBA can charge review fees only "when records are requested
25 for commercial use" under 5 U.S.C. section 552(a)(4)(A)(ii)(I). Otherwise, the SBA's fees are
26 limited to "reasonable standard charges for document search and duplication" under 5 U.S.C.
27 section 552(a)(4)(A)(ii)(III). And here, ASBL's request was not made for commercial use,
28

1 because it does not “ask[] for information for a use or a purpose that furthers a commercial, trade,
 2 or profit interest.” 5 U.S.C. § 552(a)(4)(A)(ii)(I), (III); 13 C.F.R. § 102.8(c)(1). Quite the opposite
 3 – they are being requested by a policy advocacy organization to inform the public about
 4 government activities. Researching government activity regarding and advocating for what the
 5 government has declared should be small business protections benefits all Americans, as opposed
 6 to furthering its own “commercial, trade, or profit interest.” As a result, the SBA may not charge
 7 ASBL review fees, which constitute, by the SBA’s own admission, \$2,752 of the fees at issue
 8 here.

9 35. ASBL has exhausted its administrative remedies with respect to FOIA Request
 10 No. SBA-2020-001532.

11 **FOIA Request No. SBA-2020-001953 (Appeal No. SBA-2020-002298)**

12 36. On June 19, 2020, ASBL, through its counsel, submitted a FOIA request for the
 13 following records:

- 14 • Any and all emails and correspondence relating to Bertica Cabrera-Morris,
 15 member of the National Small Business Development Center (SBDC) Advisory
 16 Board and owner of BCM Consulting
- 17 • Any and all emails and correspondence relating to Lea Marquez Peterson, member
 18 of the National SBDC Advisory Board and owner of the Marquez Peterson Group
- 19 • Any and all emails and correspondence relating to Bruce Thompson, member of
 20 the National SBDC Advisory Board and President of Regional Centers Holding
 21 Group
- 22 • Any and all emails and correspondence relating to Elizabeth (“Liz”) Sara, Chair of
 23 the National Women’s Business Council
- 24 • Any and all emails and correspondence relating to Pamela Prince-Eason, President
 25 and CEO of the Women’s Business Enterprise National Council
- 26 • Any and all emails and correspondence relating to Rebecca Hamilton, member of
 27 the National Women’s Business Council.

28 ASBL requested a fee waiver. A copy of FOIA request number SBA-2020-001953 is attached
 hereto as **Exhibit Q**.

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1 37. On June 30, 2020, ASBL received a response from the SBA's Office of General
2 Counsel denying ASBL's request for a fee waiver, and assessing charges against ASBL as
3 follows:

4 SBA is denying your request for a fee waiver because the records you are seeking
5 would have no connection to SBA's implementation of the Paycheck Protection
6 Program ("PPP"). Your request sets forth no specific time frames nor does it seek
7 records related to the PPP. Instead it broadly seeks all emails at any time whatsoever
8 related to the board member. This would include far broader records than those
9 having to do with the PPP.

10 [. . .]

11 SBA estimates the initial costs of providing responsive non-privileged material to
12 you at (computed at the GS-15 and above level) is \$2,264. The estimate is based
13 upon two hour of computer run time to identify the e-mails responsive to your
14 request, which costs \$200.00. Additionally, it is estimated that it will take at least
15 3 days to review the emails, determine appropriate releasable material, and redact
16 the responsive material for privilege and exclusions. This is billed at a rate of
17 \$86.00 per hour. As such, the total estimated cost for the requested material is \$2,264.

18 A copy of the SBA's letter of June 30, 2020 is attached hereto as **Exhibit R**.

19 38. On July 14, 2020, ASBL timely filed an administrative appeal of the SBA's
20 determination, arguing that the SBA's fee assessment was excessive and inconsistent with FOIA.
21 A copy of ASBL's administrative appeal is attached hereto as **Exhibit S**.

22 39. On July 15, 2020, the SBA confirmed receipt of ASBL's administrative appeal and
23 logged ASBL's appeal as SBA-2020-002298. A copy of an email correspondence confirming
24 receipt of FOIA Appeal No. SBA-2020-002298 is attached hereto as **Exhibit T**.

25 40. More than 20 working days have passed since ASBL's administrative appeal was
26 received. To date, the SBA has not responded to FOIA Appeal No. SBA-2020-002298.

27 41. ASBL is entitled to a fee waiver under 5 U.S.C. section 552(a)(4)(A)(iii) because
28 disclosure of the information is in the public interest because it is likely to contribute significantly
to public understanding of the operations or activities of the government and disclosure of the
information is not primarily in the commercial interest of the requester. 13 C.F.R. § 102.8(l)(1).
In a prior case in this district, a court awarded ASBL attorney's fees based on its analysis of
similar factors. *American Small Business League v. Small Business Administration*, No. C 08–

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1 00829 MHP, 2009 WL 1011632 at *5 (N.D. Cal. 2009). ASBL is a policy advocacy group, and
2 did not make the requests at issue here to further any commercial, trade, or profit interest. The
3 requests at issue here concern the operations of government, will likely contribute to an
4 understanding of specific government operations and activities, and will likely contribute
5 significantly to the public's understanding of those activities. For example, the public has a right
6 to know and a compelling interest in understanding why the SBA reversed itself with respect to
7 its PPP loan information disclosure, and how the SBA handled loan information disclosure policy
8 more broadly both before and during COVID-19. Also, ASBL has issued many press releases
9 since its inception, including press releases this year regarding the SBA and ASBL's FOIA
10 litigation, and ASBL's counsel has published opinion pieces regarding both ASBL and the
11 government's secrecy regarding programs which were intended to benefit small businesses.
12 ASBL's founder, Mr. Chapman, has often appeared in the press to discuss ASBL's findings.
13 ASBL would seek to spread the word about what it learns from this FOIA request.

14 42. Even if ASBL is not entitled to a fee waiver under 5 U.S.C. section
15 552(a)(4)(A)(iii) and 13 C.F.R. § 102.8(l)(1), the SBA's assessment of charges against ASBL
16 prior to responding was not lawful, for two reasons:

17 a. First, ASBL qualifies as a "representative of the news media" under FOIA
18 because it "gathers information of potential interest to a segment of the public, uses its editorial
19 skills to turn the raw materials into a distinct work, and distributes that work to an audience." 5
20 U.S.C. § 552(a)(4)(A)(ii)(II); 13 C.F.R. § 102.8(c)(6). In advocating for small businesses, ASBL
21 regularly gathers important information about the government's small business-related programs,
22 which is clearly of interest to the public, and uses its editorial skills to curate and publicize that
23 information in press releases and otherwise. As a result, the SBA may not charge ASBL search
24 fees or review fees. *See* 5 U.S.C. § 552(a)(4)(A)(ii)(II).

25 b. Second, the SBA can charge review fees only "when records are requested
26 for commercial use" under 5 U.S.C. section 552(a)(4)(A)(ii)(I). Otherwise, the SBA's fees are
27 limited to "reasonable standard charges for document search and duplication" under 5 U.S.C.
28

1 section 552(a)(4)(A)(ii)(III). ASBL’s request was not made for commercial use, because it does
 2 not “asks for information for a use or a purpose that furthers a commercial, trade, or profit
 3 interest.” 5 U.S.C. § 552(a)(4)(A)(ii)(I), (III); 13 C.F.R. § 102.8(c)(1). Quite the opposite – they
 4 are being requested by a policy advocacy organization to inform the public about government
 5 activities. Researching government activity regarding and advocating for what the government
 6 has declared should be small business protections benefits all Americans, as opposed to furthering
 7 its own “commercial, trade, or profit interest.” As a result, the SBA may not charge ASBL review
 8 fees.

9 43. ASBL has exhausted its administrative remedies with respect to FOIA Request
 10 No. SBA-2020-001953.

CLAIMS FOR RELIEF

COUNT I

Declaratory and Injunctive Relief; Denial of Request for Agency Records in Violation of FOIA, 5 U.S.C. § 552 (OMB FOIA Request No. 2020-319 [No. 2020-454])

15 44. ASBL incorporates by reference paragraphs 1-43.

16 45. The FOIA provides this Court with “jurisdiction to enjoin [the OMB] from
 17 withholding agency records and to order the production of any agency records improperly
 18 withheld.” 5 U.S.C. § 552(a)(4)(B).

19 46. The FOIA requires that, within 20 working days of receiving a FOIA request, an
 20 agency must, *inter alia*, complete its search for responsive records, notify the requester of the
 21 scope of the documents that the agency will produce and the scope of the documents that the
 22 agency plans to withhold under any FOIA exemptions, and identify any FOIA exemptions that it
 23 claims justify non-disclosure. *See* 5 U.S.C. § 552(a)(6)(A)(ii); *Citizens for Responsibility &*
 24 *Ethics in Washington (“CREW”) v. Fed. Election Comm’n*, 711 F.3d 180, 184, 188 (D.C. Cir.
 25 2013).

26 47. The FOIA provides that an agency must make a determination on an
 27 administrative appeal within 20 working days after receipt of such appeal. *See* 5 U.S.C. §
 28 552(a)(6)(A)(ii). This requirement is also reflected in the OMB’s regulations. *See* 5 C.F.R. §

1 1303.70. The OMB can extend the time to respond to the request by providing written notice to
2 the requester of unusual circumstances for such an extension and the date on which a
3 determination is expected to be dispatched. *See* 5 U.S.C. § 552(a)(6)(B)(i).

4 48. The OMB confirmed that ASBL’s FOIA appeal was received on July 17, 2020.
5 Pursuant to the FOIA and the OMB’s regulations, the OMB was required to make and
6 communicate to ASBL a response to ASBL’s FOIA appeal by August 19, 2020. To date, ASBL
7 has not received any communications from the OMB regarding ASBL’s correspondence of June
8 19, 2020 or ASBL’s administrative appeal. The OMB’s failure to provide a determination has
9 resulted in an unlawful constructive denial of ASBL’s administrative appeal. 5 U.S.C. §
10 552(a)(6)(A)(ii); 5 C.F.R. § 1303.70; *Allnet Comm. Servs., Inc. v. FCC*, 800 F. Supp. 984, 987 n.
11 4 (D.D.C. 1992) (“An agency’s failure to act on an administrative FOIA appeal within the twenty
12 days prescribed in 5 U.S.C. § 552(a)(6)(A)(ii) constitutes a constructive denial and administrative
13 remedies are deemed to be exhausted.”).

14 49. The records sought by ASBL are agency records within the OMB’s control. The
15 OMB states that its mission is “to assist the President in meeting his policy, *budget*, management
16 and regulatory objectives and to fulfill the agency’s statutory responsibilities.” *Office of*
17 *Management and Budget*, The White House, [whitehouse.gov/omb/](https://www.whitehouse.gov/omb/) (last visited Sept. 17, 2020)
18 (emphasis added). As a part of its mission in assisting the President’s budgetary objectives, the
19 OMB maintains records about actual and proposed federal budgets.

20 50. The OMB also possesses and publishes information on the amount of money spent
21 on federal acquisitions each year. For example, the OMB reported in 2020 that “\$550 billion are
22 spent annually through federal acquisition.” Office of Management and Budget (“OMB”), *A*
23 *Budget for America’s Future: Budget of the U.S. Government Fiscal Year 2021*, The White
24 House, 17 (2020), https://www.whitehouse.gov/wp-content/uploads/2020/02/budget_fy21.pdf. In
25 addition, the OMB has records of the total amount of federal spending, which are published
26 online, as referenced by the OMB in its e-mail correspondence to ASBL dated June 12, 2020. *See*
27 Exhibit D; USAspending.gov Home Page, <https://www.usaspending.gov/> (last visited Sept. 17,
28

1 2020). Based on the plethora of information regarding actual federal acquisition spending, the
2 OMB must have information reflecting the total amount of funds *allocated* to federal acquisition
3 spending per year. *See* OMB, *supra*, at 17. Because it spends billions of dollars on federal
4 acquisitions per year, the federal government must have some estimate of how much it is
5 *permitted* to spend on federal acquisitions. *See id.* It would be unreasonable to assume that the
6 federal government would spend billions of taxpayer dollars on federal acquisitions without first
7 establishing a total federal acquisition budget. It would also be unreasonable to assume that the
8 OMB can fulfill its purpose of “assist[ing] the President in meeting his . . . budget . . . objectives”
9 without first determining the total federal acquisition budget. *See* The White House, *supra*.
10 Therefore, the OMB must have records that show the total federal acquisition budget for each
11 fiscal year, the OMB has not conducted a diligent search for such records, and the agency has
12 prematurely claimed that no such records exist.

13 51. An agency may withhold responsive records if such records fall within certain
14 enumerated exemptions in the FOIA. *See* 5 U.S.C. §§ 552(b)(1)-(9). An agency bears the burden
15 of justifying the application of any FOIA exemption. *Am. Civil Liberties Union of N. Cal. v. U.S.*
16 *Dep’t. of Justice*, 880 F.3d 473, 483 (9th Cir. 2018); *Hamdan v. U.S. Dep’t. of Justice*, 797 F.3d
17 759, 772 (9th Cir. 2015). The OMB has not informed ASBL in either its correspondence of June
18 9, 2020 regarding ASBL’s original request, or any subsequent correspondence, that it is
19 withholding the requested records under a FOIA exemption. *See* Exhibits B and D. Because the
20 OMB has not invoked any FOIA exemptions to justify its withholdings, it should be ordered to
21 disclose all responsive records to ASBL.

22 52. The SBA has wrongfully withheld the records sought by ASBL in this FOIA
23 request in violation of FOIA.

24 53. ASBL has exhausted all administrative remedies with regard to the subject FOIA
25 request.

26 54. ASBL is entitled to declaratory and injunctive relief and an order from the Court
27 compelling disclosure of all records responsive to ASBL’s initial FOIA request.
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COUNT II
Declaratory and Injunctive Relief;
Improper Assessment of Fees in Violation of FOIA
(FOIA Request Nos. SBA-2020-000565, SBA-2020-001532, SBA-2020-1953)

55. ASBL incorporates by reference paragraphs 1-43.

56. The SBA denied ASBL's initial request for a fee waiver in and assessed ASBL's fees on FOIA Request Nos. SBA-2020-000565, SBA-2020-001532, and SBA-2020-1953, in the amounts stated above.

57. The SBA directed ASBL to pay the fees it had assessed before communicating to ASBL a determination on the substance of FOIA Request Nos. SBA-2020-000565, SBA-2020-001532, and SBA-2020-1953.

58. ASBL is entitled to a fee waiver under 5 U.S.C. section 552(a)(4)(A)(iii) as to FOIA Request Nos. SBA-2020-000565, SBA-2020-001532, and SBA-2020-1953, and the SBA wrongfully denied ASBL's request for a fee waiver.

59. FOIA provides criteria under which fees for responding should be waived. *Id.* § 552(a)(4)(A)(iii); *see also* 13 C.F.R. § 102.8(l)(2)(i)-(iii) (SBA regulation stating fee waiver should be granted where (1) disclosure of the requested information would shed light on the operations or activities of the government; (2) disclosure of the requested information is likely to contribute significantly to the public understanding of those operations or activities; and (3) disclosure is not primarily in the commercial interest of the requester).

60. In addition to the reasons stated above, ASBL is entitled to a fee waiver for FOIA Request Nos. SBA-2020-001532 and SBA-2020-001953 for the reasons that follow. All of the records requested pertain to the SBA's internal operations and activities, including its implementation of the PPP, and would also shed light on whether SBA's representations to the press and media are accurate. *See* Exhibits M, O, Q, and S. The requested records will contribute significantly to public understanding of the SBA's operations because none of the records are currently available in the public domain and pertain to a highly-scrutinized program intended to benefit all American small businesses during a period of economic distress. *See* Exhibits O and S.

1 Lastly, ASBL does not have a commercial interest in the requested records, as the purposes
2 for these requests are to ensure that the SBA, and its programs, are truly supporting small
3 businesses, and to advocate for improved policies and programs for small business. *See id.*
4 Protecting small businesses benefits not just those businesses, but all Americans, by fostering
5 economic growth.

6 61. In addition to the reasons stated above, ASBL is entitled to a fee waiver for FOIA
7 Request No. SBA-2020-000565, for the reasons that follow. All records requested pertain to the
8 operations and activities of the SBA's press office. The records requested will contribute
9 significantly to the public's understanding by illustrating how the SBA's press office has
10 interacted with the public, and will allow the public to learn about the SBA's prior statements
11 about its programs, the existence of any misleading statements, individuals and entities that may
12 have influenced the SBA's press office's public positions, and the extent to which the SBA's
13 press office believed that its efforts during the specified period were tailored to achieving the
14 SBA's stated purpose of helping small businesses. And, again, ASBL does not seek the records
15 for any commercial, trade, or profit interest. Rather, ASBL seeks to disseminate the information
16 to promote transparency between the SBA and the public, and to ensure that the SBA's
17 statements relating to its programs are accurate.

18 62. ASBL qualifies as a "representative of the news media" as defined by 5 U.S.C.
19 section 552(a)(4)(A)(ii)(II), and as a result the SBA was not permitted to charge ASBL search or
20 review fees. The SBA nevertheless assessed search and review fees against ASBL in violation of
21 FOIA.

22 63. In addition to the reasons stated above, ASBL qualifies as a representative of the
23 news media because, in researching, promoting, and advocating for small business concerns,
24 ASBL primarily gathers information regarding federal and state policies and disseminates such
25 information to the general public through its press releases, opinion articles and other means.
26 ASBL's founder, Lloyd Chapman, has often appeared in both the press and on television,
27 promoting the ASBL's advocacy and findings. *See, e.g.,* Nico Payne, *The American Small*
28

1 *Business League Sues Trump Administration over PPP Loan Distribution*, NBC Palm Springs
 2 (Aug. 15, 2020, 9:50 AM), [https://nbcpalmsprings.com/2020/08/15/the-american-small-business-](https://nbcpalmsprings.com/2020/08/15/the-american-small-business-league-sues-trump-administration-over-ppp-loan-distribution/)
 3 [league-sues-trump-administration-over-ppp-loan-distribution/](https://nbcpalmsprings.com/2020/08/15/the-american-small-business-league-sues-trump-administration-over-ppp-loan-distribution/). Mr. Chapman appeared on KTVU
 4 Channel 2 in San Francisco in a story about the effect of the pandemic upon small businesses, and
 5 the Paycheck Protection Program.

6 64. ASBL made FOIA Request Nos. SBA-2020-000565, SBA-2020-001532, and
 7 SBA-2020-1953 for non-commercial purposes under 5 U.S.C. section 552(a)(4)(A)(ii)(I), (III),
 8 and as a result the SBA was not permitted to charge ASBL review fees. A commercial use request
 9 is one that asks for information for a use or purpose that furthers a commercial, trade, or profit
 10 interest. 13 C.F.R. § 102.8(c)(1). ASBL seeks the records requested solely for the following
 11 noncommercial purposes: to inform the general public about how billions of dollars of taxpayer
 12 funds have been distributed under the PPP, to inform the general public as to whether the SBA
 13 has been adequately administering the PPP and other programs under its supervision, and to
 14 ensure that the SBA's statements to the public regarding current and past programs are accurate.
 15 See Exhibits K, O, and S. ASBL has already established in a prior FOIA case against the SBA
 16 that its act of verifying and researching the SBA's statements and actions serves a purely
 17 noncommercial, public interest. See *Am. Small Business League v. U.S. Small Business*
 18 *Administration*, No. C 08-00829 MHP, 2009 WL 1011632 at *4 (N.D. Cal. Apr. 15, 2009). The
 19 court in that prior action noted:

20 Plaintiff stated in its requests to the SBA that the requested information would be
 21 used "not for commercial use" but for its research in verifying the accuracy of the
 22 SBA's statements in its 2007 press release . . . Because the public benefits from
 23 releasing the requested information in order to verify the SBA's public claims
 about the amount of federal contracts awarded to small businesses, the court finds
 that these two factors weigh in favor of . . . plaintiff.

24 FOIA Request Nos. SBA-2020-000565, SBA-2020-001532, and SBA-2020-1953 did not seek
 25 records for commercial use, and the SBA thus assessed review fees against ASBL in violation of
 26 FOIA.

27 65. The SBA has assessed fees for and wrongfully withheld the records sought by
 28

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1 ASBL in FOIA Request Nos. SBA-2020-000565, SBA-2020-001532, and SBA-2020-1953 in
2 violation of FOIA.

3 66. ASBL has not received any response from the SBA within 20 working days of
4 filing its administrative appeals, as required by the FOIA and the SBA’s regulations. *See* 5
5 U.S.C. § 552(a)(6)(A)(ii); 13 C.F.R. § 102.9(d). By failing to provide ASBL with a
6 determination as to any of the referenced administrative appeals, the SBA has constructively
7 denied all of them. *See* 5 U.S.C. § 552(a)(6)(A)(ii); 13 C.F.R. § 102.9(d); *Allnet Comm. Servs.,*
8 *Inc. v. FCC*, 800 F. Supp. 984, 987 n. 4 (D.D.C. 1992) (“An agency’s failure to act on an
9 administrative FOIA appeal within the twenty days prescribed in 5 U.S.C. § 552(a)(6)(A)(ii)
10 constitutes a constructive denial and administrative remedies are deemed to be exhausted.”)

11 67. ASBL has exhausted its administrative remedies with regard to FOIA Request
12 numbers SBA-2020-000565, SBA-2020-1001532, and SBA-2020-001953.

13 68. ASBL is entitled to declaratory and injunctive relief and an order from this Court
14 compelling the SBA to categorize ASBL as a news-gathering organization and to waive the
15 processing fees associated with all of ASBL’s pending FOIA requests.

16 **PRAYER FOR RELIEF**

17 WHEREFORE, ASBL respectfully requests that this Court:

18 A. Declare unlawful the OMB’s failure to timely respond to ASBL’s FOIA Request
19 No. 2020-454;

20 B. Declare unlawful the OMB’s constructive denial of ASBL’s FOIA Request No.
21 2020-454;

22 C. Enter an injunction ordering the OMB to fully respond to ASBL’s FOIA Request
23 No. 2020-454, and to disclose all responsive records requested therein;

24 D. Declare that ASBL is entitled to a fee waiver as to FOIA Request Nos. SBA-2020-
25 000565, SBA-2020-001532, and SBA-2020-1953 under 5 U.S.C. section 552(a)(4)(A)(iii);

26 E. Declare that ASBL qualifies as a representative of the news media for purposes of
27 FOIA Request Nos. SBA-2020-000565, SBA-2020-001532, and SBA-2020-1953 under 5 U.S.C.
28

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1 section 552(a)(4)(A)(ii)(II);

2 F. Declare that ASBL did not request records in FOIA Request Nos. SBA-2020-
3 000565, SBA-2020-001532, and SBA-2020-1953 for commercial use under 5 U.S.C. section
4 552(a)(4)(A)(ii)(I);

5 G. Enter an injunction ordering the SBA to waive all fees associated with all of
6 ASBL's pending FOIA requests, and to produce the requested records without charge, or, in the
7 alternative, ordering the SBA to charge no more for each request than the amount permitted by
8 FOIA, and to produce the requested records;

9 H. Provide for expeditious proceedings in this action pursuant to 28 U.S.C section
10 1657;

11 I. Award ASBL its costs and attorneys' fees in this action pursuant to 5 U.S.C.
12 section 552(a)(4)(E); and

13 J. Grant such other further relief as the Court may deem just and proper.

14 Respectfully submitted,

15 Dated: October 13, 2020

CANNATA, O'TOOLE, FICKES & OLSON LLP

17 By: /s/ Karl Olson
18 KARL OLSON

19 Karl Olson
20 Aaron R. Field
21 Irene Lee

22 Attorneys for Plaintiff
23 AMERICAN SMALL BUSINESS LEAGUE
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27
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EXHIBIT A



Karl Olson
kolson@cofolaw.com

April 7, 2020

By Email

Dionne Hardy
FOIA Officer
Office of Management and Budget
725 17th Street NW, Suite 9204
Washington, D.C. 20503

Re: Freedom of Information Act Request

Dear Ms. Hardy:

I am writing on behalf of my client, the American Small Business League, to request, pursuant to the Freedom of Information Act, the following data and records:

- Any and all documents indicating or containing the total federal acquisition budget for FY 2017, FY 2018, and FY 2019

We request that fees associated with this request be waived, or otherwise reduced, because the information will be used for educational purposes. Fees should also be waived because disclosure of the requested information is in the public interest. The information contributes significantly to the public understanding of the operations and activities of the Office of Management and Budget, and primarily promotes my client's noncommercial interests, in accordance with 5 U.S.C. § 552(a)(4)(A)(iii).

Please do not hesitate to contact me if there are any questions or concerns.

Ms. Hardy
Page 2
April 7, 2020

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP

A handwritten signature in blue ink, appearing to read 'K. Olson', with a long horizontal flourish extending to the right.

KARL OLSON

KO:hs

EXHIBIT B



OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D. C. 20503

June 9, 2020

Karl Olson
Cannata, O'Toole, Fickes & Olson LLP
Sent via email: kolson@cofolaw.com

Dear Mr. Olson:

This letter responds to your Freedom of Information Act (FOIA) request to the Office of Management and Budget (OMB) dated and received in this office on April 7, 2020 and assigned tracking number 2020-319. Your request seeks documents indicating or containing the total federal acquisition budget for fiscal years 2017, 2018 and 2019.

Please be advised that while a FOIA request can be made for any agency record, the FOIA statute does not require an agency to create new records or to conduct research, analyze data or answer questions. In response to your FOIA request, OMB notes that there is no specific total Federal acquisition budget each year. Therefore, OMB has no records responsive to your FOIA request. We recommend you review the President's Budget, a public document, which contains information on object class analysis. For example, the table from the Fiscal Year 2021 President's Budget can be found at the following link: https://www.whitehouse.gov/wp-content/uploads/2020/02/objclass_fy21.pdf. The summary includes several object classes associated with acquisition and contracting.

You may contact the FOIA Requester Service Center at 202-395-FOIA, as well as OMB's FOIA Public Liaison at 202-395-7545 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may administratively appeal by writing to OMB. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this response.

Sincerely,


Dionne Hardy
FOIA Officer

EXHIBIT C

A BUDGET FOR FUTURE



BUDGET OF THE U.S. GOVERNMENT

OFFICE OF MANAGEMENT AND BUDGET | [OMB.GOV](https://www.omb.gov)

GENERAL NOTES

1. All years referenced for budget data are fiscal years unless otherwise noted. All years referenced for economic data are calendar years unless otherwise noted.
2. At the time the Budget was prepared, the United States-Mexico-Canada Agreement Implementation Act (Public Law 116-113) had not yet been signed into law. As a result, the Budget includes a Government-wide allowance to represent the discretionary appropriations included in this proposal, which the Administration transmitted to the Congress on December 13, 2019, the House passed on December 19, 2019, and the Senate passed on January 16, 2020.
3. Detail in this document may not add to the totals due to rounding.

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Department of Commerce.....	8
Department of Defense--Military.....	9
Department of Education	10
Department of Energy	11
Department of Health and Human Services.....	12
Department of Homeland Security	13
Department of Housing and Urban Development.....	14
Department of the Interior.....	15
Department of Justice.....	16
Department of Labor.....	17
Department of State	18
Department of Transportation.....	19
Department of the Treasury	20
Department of Veterans Affairs.....	21
Major Independent Agencies:	
Corps of Engineers--Civil Works	22
Other Defense Civil Programs.....	23
Environmental Protection Agency.....	24
Executive Office of the President	25
General Services Administration.....	26
International Assistance Programs	27

National Aeronautics and Space Administration.....	28
National Science Foundation.....	29
Office of Personnel Management.....	30
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OBJECT CLASSIFICATION

Object Classification Narrative

This report presents the Federal Government's obligations in terms of the object classification prescribed in section 83 of OMB Circular No. A-11. Object classes describe the "nature" of the service or article for which obligations are first incurred, regardless of the purpose, function, or program served.

Object classes. There are five major object classes:

- 10 Personnel Compensation and Benefits
- 20 Contractual Services and Supplies
- 30 Acquisition of Assets
- 40 Grants and Fixed Charges
- 90 Other

These major object classes are then divided into smaller classes. The tables included in this report provide the amounts shown in the object class schedules of the 2021 Budget *Appendix*. The 2019 column reflects the actual obligations recorded in the prior year, the 2020 column reflects estimated obligations incurred in the current year, and the 2021 column reflects estimated obligations for all proposed appropriations in the budget year.

Direct obligations are financed from appropriations that agencies receive from the Congress. These appropriations are funded by tax dollars. To show how the taxpayers' money is being spent, the reports detail direct obligations by thirty-four object class codes. In contrast, reimbursable obligations are financed from offsetting collections, which are received as payment for the sale of goods and services. These collections can come from Federal or non-Federal sources. When a Federal entity purchases goods or services from another Federal entity, the purchasing entity reports direct obligations using the object class that best show the purpose of the obligation, e.g. equipment or rental payments to GSA. When obligating against the offsetting collections it receives, the performing entity reports reimbursable obligations. The performing entity may use a different object class than the purchasing entity to characterize its obligation, e.g. personnel compensation. This report shows reimbursable obligations on one total line, as these are not financed directly from appropriations.

TABLE 1

**AGENCY OBLIGATIONS
BY OBJECT CLASS**

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate	
All Branches				
11.1	Full-time permanent	150,607	158,414	163,243
11.3	Other than full-time permanent	5,571	7,679	5,636
11.5	Other personnel compensation	13,052	12,525	13,228
11.6	Military personnel - basic allowance for housing	24,371	25,234	26,460
11.7	Military personnel	81,528	84,507	87,449
11.8	Special personal services payments	1,306	1,338	1,326
12.1	Civilian personnel benefits	77,714	81,447	83,562
12.2	Military personnel benefits	49,042	51,904	58,475
13.0	Benefits for former personnel	151,347	157,917	163,189
PERSONNEL COMPENSATION AND BENEFITS Total		554,538	580,965	602,568
21.0	Travel and transportation of persons	15,674	16,450	15,124
22.0	Transportation of things	9,315	9,335	9,731
23.1	Rental payments to GSA	9,218	10,031	9,563
23.2	Rental payments to others	4,952	5,879	5,100
23.3	Communications, utilities, and miscellaneous charges	17,486	19,488	19,462
24.0	Printing and reproduction	1,785	1,284	1,288
25.1	Advisory and assistance services	50,333	48,207	43,753
25.2	Other services from non-Federal sources	152,637	153,367	149,863
25.3	Other goods and services from Federal sources	95,446	96,840	91,318
25.4	Operation and maintenance of facilities	46,778	49,331	47,063
25.5	Research and development contracts	87,350	94,791	96,703
25.6	Medical care	18,546	18,993	21,938
25.7	Operation and maintenance of equipment	54,942	56,120	58,454
25.8	Subsistence and support of persons	2,899	2,972	3,244
26.0	Supplies and materials	72,377	68,888	70,314
CONTRACTUAL SERVICES AND SUPPLIES Total		639,738	651,976	642,918
31.0	Equipment	138,203	149,927	145,234
32.0	Land and structures	38,644	50,419	38,610
33.0	Investments and loans	18,691	12,094	11,881
ACQUISITION OF CAPITAL ASSETS Total		195,538	212,440	195,725
41.0	Grants, subsidies, and contributions	1,692,285	1,869,343	1,744,871
42.0	Insurance claims and indemnities	2,134,542	2,263,847	2,386,506
43.0	Interest and dividends	585,191	591,954	593,777
44.0	Refunds	2,078	595	543
GRANTS AND FIXED CHARGES Total		4,414,096	4,725,739	4,725,697
91.0	Unvouchered	99	133	137
92.0	Undistributed	0	333	-7,346
94.0	Financial transfers	78,096	73,726	75,657
99.0	Reimbursable obligations	514,170	532,218	536,777
OTHER Total		592,365	606,410	605,225
99.5	Adjustment for rounding	125	88	89
Adjustment for rounding Total		125	88	89
Gross Obligations Total		6,396,400	6,777,618	6,772,222

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Legislative Branch			
11.1 Full-time permanent	1,987	2,137	2,321
11.3 Other than full-time permanent	34	40	35
11.5 Other personnel compensation	54	54	58
11.8 Special personal services payments	4	3	3
12.1 Civilian personnel benefits	696	751	841
13.0 Benefits for former personnel	4	4	5
PERSONNEL COMPENSATION AND BENEFITS Total	2,779	2,989	3,263
21.0 Travel and transportation of persons	78	77	81
22.0 Transportation of things	1	1	1
23.1 Rental payments to GSA	21	22	23
23.2 Rental payments to others	17	20	20
23.3 Communications, utilities, and miscellaneous charges	124	146	165
24.0 Printing and reproduction	100	100	99
25.1 Advisory and assistance services	155	182	224
25.2 Other services from non-Federal sources	1,120	1,183	1,276
25.3 Other goods and services from Federal sources	50	30	36
25.4 Operation and maintenance of facilities	119	136	152
25.5 Research and development contracts	1	1	1
25.7 Operation and maintenance of equipment	74	80	79
26.0 Supplies and materials	77	83	87
CONTRACTUAL SERVICES AND SUPPLIES Total	1,937	2,061	2,244
31.0 Equipment	166	155	178
32.0 Land and structures	248	122	131
33.0 Investments and loans	5	5	5
ACQUISITION OF CAPITAL ASSETS Total	419	282	314
41.0 Grants, subsidies, and contributions	14	14	14
44.0 Refunds	1	1	1
GRANTS AND FIXED CHARGES Total	15	15	15
94.0 Financial transfers	6	6	6
99.0 Reimbursable obligations	1,206	1,345	1,375
OTHER Total	1,212	1,351	1,381
99.5 Adjustment for rounding	20	11	15
Adjustment for rounding Total	20	11	15
Gross Obligations Total	6,382	6,709	7,232

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Judicial Branch			
11.1 Full-time permanent	2,372	2,494	2,587
11.3 Other than full-time permanent	825	865	898
11.8 Special personal services payments	26	27	28
12.1 Civilian personnel benefits	1,072	1,125	1,151
13.0 Benefits for former personnel	8	9	9
PERSONNEL COMPENSATION AND BENEFITS Total	4,303	4,520	4,673
21.0 Travel and transportation of persons	120	120	125
22.0 Transportation of things	4	6	6
23.1 Rental payments to GSA	1,054	1,082	1,114
23.2 Rental payments to others	37	39	42
23.3 Communications, utilities, and miscellaneous charges	227	248	238
24.0 Printing and reproduction	14	14	14
25.1 Advisory and assistance services	523	637	621
25.2 Other services from non-Federal sources	1,185	1,257	1,308
25.3 Other goods and services from Federal sources	154	162	157
25.4 Operation and maintenance of facilities	3	11	7
25.7 Operation and maintenance of equipment	52	64	56
26.0 Supplies and materials	36	36	38
CONTRACTUAL SERVICES AND SUPPLIES Total	3,409	3,676	3,726
31.0 Equipment	281	313	290
32.0 Land and structures	46	61	53
ACQUISITION OF CAPITAL ASSETS Total	327	374	343
41.0 Grants, subsidies, and contributions	162	175	184
42.0 Insurance claims and indemnities	363	394	423
GRANTS AND FIXED CHARGES Total	525	569	607
94.0 Financial transfers	520	497	531
99.0 Reimbursable obligations	312	323	343
OTHER Total	832	820	874
Gross Obligations Total	9,396	9,959	10,223

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate	
Executive Branch				
11.1	Full-time permanent	146,248	153,783	158,335
11.3	Other than full-time permanent	4,712	6,774	4,703
11.5	Other personnel compensation	12,998	12,471	13,170
11.6	Military personnel - basic allowance for housing	24,371	25,234	26,460
11.7	Military personnel	81,528	84,507	87,449
11.8	Special personal services payments	1,276	1,308	1,295
12.1	Civilian personnel benefits	75,946	79,571	81,570
12.2	Military personnel benefits	49,042	51,904	58,475
13.0	Benefits for former personnel	151,335	157,904	163,175
PERSONNEL COMPENSATION AND BENEFITS Total		547,456	573,456	594,632
21.0	Travel and transportation of persons	15,476	16,253	14,918
22.0	Transportation of things	9,310	9,328	9,724
23.1	Rental payments to GSA	8,143	8,927	8,426
23.2	Rental payments to others	4,898	5,820	5,038
23.3	Communications, utilities, and miscellaneous charges	17,135	19,094	19,059
24.0	Printing and reproduction	1,671	1,170	1,175
25.1	Advisory and assistance services	49,655	47,388	42,908
25.2	Other services from non-Federal sources	150,332	150,927	147,279
25.3	Other goods and services from Federal sources	95,242	96,648	91,125
25.4	Operation and maintenance of facilities	46,656	49,184	46,904
25.5	Research and development contracts	87,349	94,790	96,702
25.6	Medical care	18,546	18,993	21,938
25.7	Operation and maintenance of equipment	54,816	55,976	58,319
25.8	Subsistence and support of persons	2,899	2,972	3,244
26.0	Supplies and materials	72,264	68,769	70,189
CONTRACTUAL SERVICES AND SUPPLIES Total		634,392	646,239	636,948
31.0	Equipment	137,756	149,459	144,766
32.0	Land and structures	38,350	50,236	38,426
33.0	Investments and loans	18,686	12,089	11,876
ACQUISITION OF CAPITAL ASSETS Total		194,792	211,784	195,068
41.0	Grants, subsidies, and contributions	1,692,109	1,869,154	1,744,673
42.0	Insurance claims and indemnities	2,134,179	2,263,453	2,386,083
43.0	Interest and dividends	585,191	591,954	593,777
44.0	Refunds	2,077	594	542
GRANTS AND FIXED CHARGES Total		4,413,556	4,725,155	4,725,075
91.0	Unvouchered	99	133	137
92.0	Undistributed	0	333	-7,346
94.0	Financial transfers	77,570	73,223	75,120
99.0	Reimbursable obligations	512,652	530,550	535,059
OTHER Total		590,321	604,239	602,970
99.5	Adjustment for rounding	105	77	74
Adjustment for rounding Total		105	77	74
Gross Obligations Total		6,380,622	6,760,950	6,754,767

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of Agriculture			
11.1 Full-time permanent	4,771	4,948	5,023
11.3 Other than full-time permanent	189	211	219
11.5 Other personnel compensation	431	421	436
11.8 Special personal services payments	46	50	50
12.1 Civilian personnel benefits	2,014	2,086	2,136
13.0 Benefits for former personnel	48	45	46
PERSONNEL COMPENSATION AND BENEFITS Total	7,499	7,761	7,910
21.0 Travel and transportation of persons	304	344	345
22.0 Transportation of things	84	92	96
23.1 Rental payments to GSA	189	196	197
23.2 Rental payments to others	116	125	131
23.3 Communications, utilities, and miscellaneous charges	309	349	340
24.0 Printing and reproduction	109	95	94
25.1 Advisory and assistance services	82	128	134
25.2 Other services from non-Federal sources	6,871	7,754	6,063
25.3 Other goods and services from Federal sources	1,710	1,832	1,722
25.4 Operation and maintenance of facilities	301	449	558
25.5 Research and development contracts	352	421	383
25.7 Operation and maintenance of equipment	56	57	71
26.0 Supplies and materials	3,134	4,134	3,131
CONTRACTUAL SERVICES AND SUPPLIES Total	13,617	15,976	13,265
31.0 Equipment	269	292	282
32.0 Land and structures	371	934	435
33.0 Investments and loans	7,616	10,099	10,311
ACQUISITION OF CAPITAL ASSETS Total	8,256	11,325	11,028
41.0 Grants, subsidies, and contributions	126,344	144,393	106,717
42.0 Insurance claims and indemnities	8,040	3,900	5,909
43.0 Interest and dividends	19	11	9
GRANTS AND FIXED CHARGES Total	134,403	148,304	112,635
94.0 Financial transfers	2,038	1,901	2,062
99.0 Reimbursable obligations	4,844	9,885	7,097
OTHER Total	6,882	11,786	9,159
99.5 Adjustment for rounding	11	8	7
Adjustment for rounding Total	11	8	7
Gross Obligations Total	170,668	195,160	154,004

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class		2019 actual	2020 estimate	2021 estimate
Department of Commerce				
11.1	Full-time permanent	2,334	2,429	2,369
11.3	Other than full-time permanent	250	2,275	188
11.5	Other personnel compensation	128	106	105
11.7	Military personnel	36	37	38
12.1	Civilian personnel benefits	858	1,217	959
12.2	Military personnel benefits	3	3	3
13.0	Benefits for former personnel	29	36	34
PERSONNEL COMPENSATION AND BENEFITS Total		3,638	6,103	3,696
21.0	Travel and transportation of persons	156	429	110
22.0	Transportation of things	24	38	25
23.1	Rental payments to GSA	276	327	199
23.2	Rental payments to others	50	55	52
23.3	Communications, utilities, and miscellaneous charges	192	424	174
24.0	Printing and reproduction	150	46	10
25.1	Advisory and assistance services	1,823	2,697	958
25.2	Other services from non-Federal sources	1,612	1,620	1,058
25.3	Other goods and services from Federal sources	1,234	1,118	1,018
25.4	Operation and maintenance of facilities	27	27	11
25.5	Research and development contracts	69	68	52
25.7	Operation and maintenance of equipment	231	231	205
25.8	Subsistence and support of persons	6	1	1
26.0	Supplies and materials	168	208	136
CONTRACTUAL SERVICES AND SUPPLIES Total		6,018	7,289	4,009
31.0	Equipment	641	529	386
32.0	Land and structures	76	209	294
ACQUISITION OF CAPITAL ASSETS Total		717	738	680
41.0	Grants, subsidies, and contributions	2,093	2,254	737
42.0	Insurance claims and indemnities	8	9	0
GRANTS AND FIXED CHARGES Total		2,101	2,263	737
94.0	Financial transfers	3	48	22
99.0	Reimbursable obligations	5,331	6,168	6,238
OTHER Total		5,334	6,216	6,260
99.5	Adjustment for rounding	5	6	7
Adjustment for rounding Total		5	6	7
Gross Obligations Total		17,813	22,615	15,389

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of Defense--Military Programs			
11.1 Full-time permanent	41,699	43,011	44,595
11.3 Other than full-time permanent	870	913	942
11.5 Other personnel compensation	2,733	2,445	2,705
11.6 Military personnel - basic allowance for housing	23,517	24,338	25,526
11.7 Military personnel	79,048	81,921	84,759
11.8 Special personal services payments	187	167	178
12.1 Civilian personnel benefits	15,567	16,520	17,429
12.2 Military personnel benefits	48,377	51,184	57,737
13.0 Benefits for former personnel	228	251	231
PERSONNEL COMPENSATION AND BENEFITS Total	212,226	220,750	234,102
21.0 Travel and transportation of persons	9,533	9,679	9,053
22.0 Transportation of things	6,472	6,634	7,237
23.1 Rental payments to GSA	559	395	450
23.2 Rental payments to others	1,966	2,482	1,940
23.3 Communications, utilities, and miscellaneous charges	9,403	9,315	9,303
24.0 Printing and reproduction	484	650	696
25.1 Advisory and assistance services	26,584	21,532	21,282
25.2 Other services from non-Federal sources	22,073	15,758	14,229
25.3 Other goods and services from Federal sources	61,090	62,534	58,597
25.4 Operation and maintenance of facilities	16,296	16,855	14,941
25.5 Research and development contracts	72,526	78,617	79,888
25.6 Medical care	15,407	15,722	18,564
25.7 Operation and maintenance of equipment	46,352	47,533	49,766
25.8 Subsistence and support of persons	992	1,199	1,370
26.0 Supplies and materials	50,258	44,997	47,002
CONTRACTUAL SERVICES AND SUPPLIES Total	339,995	333,902	334,318
31.0 Equipment	126,875	137,677	134,489
32.0 Land and structures	19,567	29,192	17,801
33.0 Investments and loans	9,319	0	0
ACQUISITION OF CAPITAL ASSETS Total	155,761	166,869	152,290
41.0 Grants, subsidies, and contributions	3,909	3,396	3,178
42.0 Insurance claims and indemnities	186	218	223
43.0 Interest and dividends	32	11	12
44.0 Refunds	0	1	1
GRANTS AND FIXED CHARGES Total	4,127	3,626	3,414
99.0 Reimbursable obligations	190,235	182,583	188,807
OTHER Total	190,235	182,583	188,807
Gross Obligations Total	902,344	907,730	912,931

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of Education			
11.1 Full-time permanent	417	470	499
11.3 Other than full-time permanent	18	8	7
11.5 Other personnel compensation	9	7	11
12.1 Civilian personnel benefits	145	156	166
PERSONNEL COMPENSATION AND BENEFITS Total	589	641	683
21.0 Travel and transportation of persons	6	8	9
23.1 Rental payments to GSA	65	70	67
23.3 Communications, utilities, and miscellaneous charges	1	1	1
24.0 Printing and reproduction	1	1	1
25.1 Advisory and assistance services	68	74	47
25.2 Other services from non-Federal sources	1,297	1,377	1,300
25.3 Other goods and services from Federal sources	85	87	62
25.5 Research and development contracts	77	75	17
25.7 Operation and maintenance of equipment	624	583	705
26.0 Supplies and materials	0	1	1
CONTRACTUAL SERVICES AND SUPPLIES Total	2,224	2,277	2,210
31.0 Equipment	5	3	4
32.0 Land and structures	7	5	12
33.0 Investments and loans	13	6	5
ACQUISITION OF CAPITAL ASSETS Total	25	14	21
41.0 Grants, subsidies, and contributions	116,700	171,196	82,660
42.0 Insurance claims and indemnities	7,571	7,763	7,145
43.0 Interest and dividends	2	2	2
GRANTS AND FIXED CHARGES Total	124,273	178,961	89,807
99.0 Reimbursable obligations	73	53	90
OTHER Total	73	53	90
99.5 Adjustment for rounding	8	2	3
Adjustment for rounding Total	8	2	3
Gross Obligations Total	127,192	181,948	92,814

Table 1 -- OBLIGATIONS BY OBJECT CLASS
Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of Energy			
11.1 Full-time permanent	1,021	1,116	1,127
11.3 Other than full-time permanent	32	33	27
11.5 Other personnel compensation	39	41	43
11.8 Special personal services payments	1	1	1
12.1 Civilian personnel benefits	355	395	395
13.0 Benefits for former personnel	3	4	4
PERSONNEL COMPENSATION AND BENEFITS Total	1,451	1,590	1,597
21.0 Travel and transportation of persons	59	67	70
22.0 Transportation of things	1	0	0
23.1 Rental payments to GSA	64	68	66
23.2 Rental payments to others	4	4	4
23.3 Communications, utilities, and miscellaneous charges	127	140	126
24.0 Printing and reproduction	0	1	1
25.1 Advisory and assistance services	1,913	2,106	1,983
25.2 Other services from non-Federal sources	1,524	2,394	1,734
25.3 Other goods and services from Federal sources	272	285	319
25.4 Operation and maintenance of facilities	22,799	24,282	23,572
25.5 Research and development contracts	1,162	1,392	872
25.6 Medical care	27	29	29
25.7 Operation and maintenance of equipment	14	19	16
26.0 Supplies and materials	35	61	52
CONTRACTUAL SERVICES AND SUPPLIES Total	28,001	30,848	28,844
31.0 Equipment	962	1,072	989
32.0 Land and structures	4,269	4,639	4,378
ACQUISITION OF CAPITAL ASSETS Total	5,231	5,711	5,367
41.0 Grants, subsidies, and contributions	2,189	2,672	1,396
44.0 Refunds	8	1	1
GRANTS AND FIXED CHARGES Total	2,197	2,673	1,397
99.0 Reimbursable obligations	10,560	10,930	11,050
OTHER Total	10,560	10,930	11,050
99.5 Adjustment for rounding	5	2	2
Adjustment for rounding Total	5	2	2
Gross Obligations Total	47,445	51,754	48,257

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of Health and Human Services			
11.1 Full-time permanent	4,604	4,819	4,848
11.3 Other than full-time permanent	805	820	827
11.5 Other personnel compensation	219	226	227
11.7 Military personnel	286	288	294
11.8 Special personal services payments	209	219	219
12.1 Civilian personnel benefits	1,863	1,980	1,997
12.2 Military personnel benefits	199	204	206
13.0 Benefits for former personnel	524	542	562
PERSONNEL COMPENSATION AND BENEFITS Total	8,709	9,098	9,180
21.0 Travel and transportation of persons	243	222	221
22.0 Transportation of things	29	29	31
23.1 Rental payments to GSA	323	337	326
23.2 Rental payments to others	14	15	16
23.3 Communications, utilities, and miscellaneous charges	110	113	105
24.0 Printing and reproduction	54	51	48
25.1 Advisory and assistance services	2,659	2,879	2,526
25.2 Other services from non-Federal sources	9,579	9,919	8,456
25.3 Other goods and services from Federal sources	7,472	6,986	6,257
25.4 Operation and maintenance of facilities	552	600	526
25.5 Research and development contracts	1,833	1,976	1,634
25.6 Medical care	2,204	2,372	2,388
25.7 Operation and maintenance of equipment	446	458	360
25.8 Subsistence and support of persons	8	8	8
26.0 Supplies and materials	1,649	1,368	1,297
CONTRACTUAL SERVICES AND SUPPLIES Total	27,175	27,333	24,199
31.0 Equipment	383	375	364
32.0 Land and structures	335	423	253
33.0 Investments and loans	0	2	0
ACQUISITION OF CAPITAL ASSETS Total	718	800	617
41.0 Grants, subsidies, and contributions	969,143	1,062,644	1,106,768
42.0 Insurance claims and indemnities	781,269	840,214	878,732
GRANTS AND FIXED CHARGES Total	1,750,412	1,902,858	1,985,500
92.0 Undistributed	0	-31	-210
94.0 Financial transfers	11,482	5,797	5,747
99.0 Reimbursable obligations	14,610	15,542	14,781
OTHER Total	26,092	21,308	20,318
99.5 Adjustment for rounding	4	3	4
Adjustment for rounding Total	4	3	4
Gross Obligations Total	1,813,110	1,961,400	2,039,818

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of Homeland Security			
11.1 Full-time permanent	15,139	16,279	15,538
11.3 Other than full-time permanent	574	512	486
11.5 Other personnel compensation	2,955	2,714	2,564
11.6 Military personnel - basic allowance for housing	854	896	934
11.7 Military personnel	2,152	2,255	2,353
11.8 Special personal services payments	234	246	30
12.1 Civilian personnel benefits	7,955	8,365	7,872
12.2 Military personnel benefits	463	513	529
13.0 Benefits for former personnel	1,721	1,539	1,612
PERSONNEL COMPENSATION AND BENEFITS Total	32,047	33,319	31,918
21.0 Travel and transportation of persons	1,853	2,020	1,491
22.0 Transportation of things	487	568	334
23.1 Rental payments to GSA	1,611	1,927	1,844
23.2 Rental payments to others	245	294	219
23.3 Communications, utilities, and miscellaneous charges	719	754	689
24.0 Printing and reproduction	627	83	82
25.1 Advisory and assistance services	4,745	5,036	4,751
25.2 Other services from non-Federal sources	5,026	6,277	4,554
25.3 Other goods and services from Federal sources	3,937	3,693	2,840
25.4 Operation and maintenance of facilities	3,158	3,435	3,587
25.5 Research and development contracts	286	271	249
25.6 Medical care	738	687	765
25.7 Operation and maintenance of equipment	2,189	2,410	2,485
25.8 Subsistence and support of persons	183	28	21
26.0 Supplies and materials	1,371	1,645	1,462
CONTRACTUAL SERVICES AND SUPPLIES Total	27,175	29,128	25,373
31.0 Equipment	3,212	3,209	2,887
32.0 Land and structures	2,327	2,929	2,962
33.0 Investments and loans	37	126	35
ACQUISITION OF CAPITAL ASSETS Total	5,576	6,264	5,884
41.0 Grants, subsidies, and contributions	12,385	15,731	5,610
42.0 Insurance claims and indemnities	332	412	1,413
44.0 Refunds	75	72	40
GRANTS AND FIXED CHARGES Total	12,792	16,215	7,063
91.0 Unvouchered	3	3	3
94.0 Financial transfers	45	45	45
99.0 Reimbursable obligations	11,050	12,001	11,695
OTHER Total	11,098	12,049	11,743
99.5 Adjustment for rounding	1	1	2
Adjustment for rounding Total	1	1	2
Gross Obligations Total	88,689	96,976	81,983

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of Housing and Urban Development			
11.1 Full-time permanent	854	940	976
11.3 Other than full-time permanent	2	2	3
11.5 Other personnel compensation	19	13	15
12.1 Civilian personnel benefits	289	324	337
PERSONNEL COMPENSATION AND BENEFITS Total	1,164	1,279	1,331
21.0 Travel and transportation of persons	17	22	17
22.0 Transportation of things	1	1	0
23.1 Rental payments to GSA	108	110	111
23.3 Communications, utilities, and miscellaneous charges	18	22	22
24.0 Printing and reproduction	1	2	2
25.1 Advisory and assistance services	36	36	36
25.2 Other services from non-Federal sources	455	601	582
25.3 Other goods and services from Federal sources	57	45	86
25.5 Research and development contracts	11	28	18
25.7 Operation and maintenance of equipment	323	269	247
26.0 Supplies and materials	2	2	1
CONTRACTUAL SERVICES AND SUPPLIES Total	1,029	1,138	1,122
31.0 Equipment	25	17	16
32.0 Land and structures	19	29	29
33.0 Investments and loans	20	17	17
ACQUISITION OF CAPITAL ASSETS Total	64	63	62
41.0 Grants, subsidies, and contributions	59,793	71,757	63,186
42.0 Insurance claims and indemnities	0	2	1
43.0 Interest and dividends	489	260	0
GRANTS AND FIXED CHARGES Total	60,282	72,019	63,187
99.0 Reimbursable obligations	100	144	199
OTHER Total	100	144	199
Gross Obligations Total	62,639	74,643	65,901

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of the Interior			
11.1 Full-time permanent	3,574	3,658	3,536
11.3 Other than full-time permanent	386	458	426
11.5 Other personnel compensation	272	274	267
11.8 Special personal services payments	20	20	20
12.1 Civilian personnel benefits	1,425	1,482	1,430
13.0 Benefits for former personnel	3	6	6
PERSONNEL COMPENSATION AND BENEFITS Total	5,680	5,898	5,685
21.0 Travel and transportation of persons	179	185	184
22.0 Transportation of things	23	23	24
23.1 Rental payments to GSA	236	262	261
23.2 Rental payments to others	73	71	75
23.3 Communications, utilities, and miscellaneous charges	304	336	332
24.0 Printing and reproduction	11	12	12
25.1 Advisory and assistance services	161	168	161
25.2 Other services from non-Federal sources	3,827	6,066	3,554
25.3 Other goods and services from Federal sources	1,096	1,052	975
25.4 Operation and maintenance of facilities	460	592	633
25.5 Research and development contracts	21	40	34
25.6 Medical care	10	13	13
25.7 Operation and maintenance of equipment	178	199	197
26.0 Supplies and materials	361	399	395
CONTRACTUAL SERVICES AND SUPPLIES Total	6,940	9,418	6,850
31.0 Equipment	280	313	311
32.0 Land and structures	387	406	392
ACQUISITION OF CAPITAL ASSETS Total	667	719	703
41.0 Grants, subsidies, and contributions	7,724	8,108	7,459
42.0 Insurance claims and indemnities	158	171	171
GRANTS AND FIXED CHARGES Total	7,882	8,279	7,630
94.0 Financial transfers	70	66	73
99.0 Reimbursable obligations	5,438	5,758	5,300
OTHER Total	5,508	5,824	5,373
99.5 Adjustment for rounding	22	16	14
Adjustment for rounding Total	22	16	14
Gross Obligations Total	26,699	30,154	26,255

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate	
Department of Justice				
11.1	Full-time permanent	9,846	10,402	10,881
11.3	Other than full-time permanent	267	226	206
11.5	Other personnel compensation	1,225	1,258	1,282
11.8	Special personal services payments	236	234	255
12.1	Civilian personnel benefits	5,087	5,324	5,609
13.0	Benefits for former personnel	2	2	2
PERSONNEL COMPENSATION AND BENEFITS Total		16,663	17,446	18,235
21.0	Travel and transportation of persons	450	443	450
22.0	Transportation of things	46	40	41
23.1	Rental payments to GSA	1,749	1,855	1,829
23.2	Rental payments to others	160	114	137
23.3	Communications, utilities, and miscellaneous charges	794	815	808
24.0	Printing and reproduction	17	18	17
25.1	Advisory and assistance services	1,923	1,685	1,543
25.2	Other services from non-Federal sources	4,668	5,188	4,985
25.3	Other goods and services from Federal sources	1,128	1,137	1,055
25.4	Operation and maintenance of facilities	520	346	357
25.5	Research and development contracts	3	1	1
25.6	Medical care	92	99	109
25.7	Operation and maintenance of equipment	731	628	630
25.8	Subsistence and support of persons	1,701	1,728	1,836
26.0	Supplies and materials	962	916	945
CONTRACTUAL SERVICES AND SUPPLIES Total		14,944	15,013	14,743
31.0	Equipment	943	895	1,024
32.0	Land and structures	147	547	174
ACQUISITION OF CAPITAL ASSETS Total		1,090	1,442	1,198
41.0	Grants, subsidies, and contributions	5,406	4,763	4,578
42.0	Insurance claims and indemnities	2,479	3,651	3,221
44.0	Refunds	0	10	1
GRANTS AND FIXED CHARGES Total		7,885	8,424	7,800
99.0	Reimbursable obligations	4,385	4,842	4,931
OTHER Total		4,385	4,842	4,931
Gross Obligations Total		44,967	47,167	46,907

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of Labor			
11.1 Full-time permanent	1,340	1,369	1,399
11.3 Other than full-time permanent	19	21	21
11.5 Other personnel compensation	26	31	34
12.1 Civilian personnel benefits	474	488	497
PERSONNEL COMPENSATION AND BENEFITS Total	1,859	1,909	1,951
21.0 Travel and transportation of persons	46	47	48
22.0 Transportation of things	7	7	7
23.1 Rental payments to GSA	165	166	167
23.2 Rental payments to others	14	14	14
23.3 Communications, utilities, and miscellaneous charges	16	22	21
24.0 Printing and reproduction	5	3	4
25.1 Advisory and assistance services	75	80	85
25.2 Other services from non-Federal sources	1,552	1,441	1,459
25.3 Other goods and services from Federal sources	677	777	776
25.4 Operation and maintenance of facilities	67	65	76
25.5 Research and development contracts	14	13	14
25.7 Operation and maintenance of equipment	222	180	205
26.0 Supplies and materials	38	36	38
CONTRACTUAL SERVICES AND SUPPLIES Total	2,898	2,851	2,914
31.0 Equipment	54	53	41
32.0 Land and structures	5	41	94
ACQUISITION OF CAPITAL ASSETS Total	59	94	135
41.0 Grants, subsidies, and contributions	8,351	8,738	7,968
42.0 Insurance claims and indemnities	29,232	29,380	32,119
43.0 Interest and dividends	66	78	91
GRANTS AND FIXED CHARGES Total	37,649	38,196	40,178
94.0 Financial transfers	3,623	3,672	3,785
99.0 Reimbursable obligations	9,936	11,245	11,806
OTHER Total	13,559	14,917	15,591
Gross Obligations Total	56,024	57,967	60,769

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of State			
11.1 Full-time permanent	3,047	2,971	2,972
11.3 Other than full-time permanent	74	73	75
11.5 Other personnel compensation	90	86	86
11.8 Special personal services payments	24	24	24
12.1 Civilian personnel benefits	1,153	1,055	1,086
13.0 Benefits for former personnel	5	5	5
PERSONNEL COMPENSATION AND BENEFITS Total	4,393	4,214	4,248
21.0 Travel and transportation of persons	311	437	310
22.0 Transportation of things	42	57	55
23.1 Rental payments to GSA	352	376	276
23.2 Rental payments to others	47	62	45
23.3 Communications, utilities, and miscellaneous charges	2,112	3,769	3,879
24.0 Printing and reproduction	65	65	65
25.1 Advisory and assistance services	2,153	1,935	1,041
25.2 Other services from non-Federal sources	1,834	1,518	1,143
25.3 Other goods and services from Federal sources	1,916	2,056	2,126
25.4 Operation and maintenance of facilities	460	669	571
25.5 Research and development contracts	1	1	1
25.6 Medical care	6	6	6
25.7 Operation and maintenance of equipment	693	545	467
26.0 Supplies and materials	450	359	240
CONTRACTUAL SERVICES AND SUPPLIES Total	10,442	11,855	10,225
31.0 Equipment	226	274	154
32.0 Land and structures	637	1,070	949
33.0 Investments and loans	18	13	13
ACQUISITION OF CAPITAL ASSETS Total	881	1,357	1,116
41.0 Grants, subsidies, and contributions	15,655	17,047	12,145
42.0 Insurance claims and indemnities	1,461	1,463	1,482
GRANTS AND FIXED CHARGES Total	17,116	18,510	13,627
99.0 Reimbursable obligations	8,908	9,440	8,989
OTHER Total	8,908	9,440	8,989
Gross Obligations Total	41,740	45,376	38,205

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of Transportation			
11.1 Full-time permanent	5,931	6,178	6,298
11.3 Other than full-time permanent	57	55	58
11.5 Other personnel compensation	549	562	588
12.1 Civilian personnel benefits	2,497	2,676	2,800
13.0 Benefits for former personnel	4	5	5
PERSONNEL COMPENSATION AND BENEFITS Total	9,038	9,476	9,749
21.0 Travel and transportation of persons	262	241	238
22.0 Transportation of things	26	27	27
23.1 Rental payments to GSA	218	233	231
23.2 Rental payments to others	87	104	97
23.3 Communications, utilities, and miscellaneous charges	448	431	418
24.0 Printing and reproduction	5	5	5
25.1 Advisory and assistance services	2,642	4,212	3,168
25.2 Other services from non-Federal sources	2,629	2,684	2,661
25.3 Other goods and services from Federal sources	463	547	488
25.4 Operation and maintenance of facilities	173	166	129
25.5 Research and development contracts	80	119	90
25.6 Medical care	3	4	1
25.7 Operation and maintenance of equipment	186	195	192
25.8 Subsistence and support of persons	0	1	1
26.0 Supplies and materials	193	195	185
CONTRACTUAL SERVICES AND SUPPLIES Total	7,415	9,164	7,931
31.0 Equipment	305	344	305
32.0 Land and structures	221	346	227
33.0 Investments and loans	126	113	0
ACQUISITION OF CAPITAL ASSETS Total	652	803	532
41.0 Grants, subsidies, and contributions	69,215	76,477	76,436
42.0 Insurance claims and indemnities	2	1	1
43.0 Interest and dividends	30	7	0
GRANTS AND FIXED CHARGES Total	69,247	76,485	76,437
94.0 Financial transfers	10,371	10,955	11,024
99.0 Reimbursable obligations	2,122	2,618	2,709
OTHER Total	12,493	13,573	13,733
99.5 Adjustment for rounding	7	7	5
Adjustment for rounding Total	7	7	5
Gross Obligations Total	98,852	109,508	108,387

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of the Treasury			
11.1 Full-time permanent	6,308	6,681	7,892
11.3 Other than full-time permanent	91	96	113
11.5 Other personnel compensation	295	212	496
11.8 Special personal services payments	30	22	243
12.1 Civilian personnel benefits	2,350	2,579	3,327
13.0 Benefits for former personnel	30	35	35
PERSONNEL COMPENSATION AND BENEFITS Total	9,104	9,625	12,106
21.0 Travel and transportation of persons	112	150	350
22.0 Transportation of things	23	24	35
23.1 Rental payments to GSA	637	638	757
23.2 Rental payments to others	13	12	23
23.3 Communications, utilities, and miscellaneous charges	345	353	428
24.0 Printing and reproduction	29	32	33
25.1 Advisory and assistance services	1,628	1,470	1,551
25.2 Other services from non-Federal sources	2,121	1,919	2,204
25.3 Other goods and services from Federal sources	677	664	716
25.4 Operation and maintenance of facilities	191	193	201
25.6 Medical care	14	15	16
25.7 Operation and maintenance of equipment	94	99	110
26.0 Supplies and materials	50	71	137
CONTRACTUAL SERVICES AND SUPPLIES Total	5,934	5,640	6,561
31.0 Equipment	428	325	513
32.0 Land and structures	49	62	80
ACQUISITION OF CAPITAL ASSETS Total	477	387	593
41.0 Grants, subsidies, and contributions	166,347	156,147	146,581
42.0 Insurance claims and indemnities	1,708	1,734	1,794
43.0 Interest and dividends	584,488	589,783	589,393
44.0 Refunds	93	144	147
GRANTS AND FIXED CHARGES Total	752,636	747,808	737,915
91.0 Unvouchered	96	130	134
94.0 Financial transfers	740	158	158
99.0 Reimbursable obligations	6,792	7,818	7,966
OTHER Total	7,628	8,106	8,258
99.5 Adjustment for rounding	4	1	-3
Adjustment for rounding Total	4	1	-3
Gross Obligations Total	775,783	771,567	765,430

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Department of Veterans Affairs			
11.1 Full-time permanent	28,731	30,933	32,830
11.3 Other than full-time permanent	549	590	629
11.5 Other personnel compensation	3,369	3,653	3,866
12.1 Civilian personnel benefits	10,808	11,657	12,527
13.0 Benefits for former personnel	13	13	13
PERSONNEL COMPENSATION AND BENEFITS Total	43,470	46,846	49,865
21.0 Travel and transportation of persons	1,298	1,328	1,378
22.0 Transportation of things	56	58	60
23.1 Rental payments to GSA	141	149	151
23.2 Rental payments to others	1,851	2,200	2,015
23.3 Communications, utilities, and miscellaneous charges	1,150	1,129	1,243
24.0 Printing and reproduction	45	47	47
25.1 Advisory and assistance services	97	102	107
25.2 Other services from non-Federal sources	21,670	26,245	33,266
25.3 Other goods and services from Federal sources	69	72	81
26.0 Supplies and materials	13,187	13,989	14,745
CONTRACTUAL SERVICES AND SUPPLIES Total	39,564	45,319	53,093
31.0 Equipment	2,139	3,089	1,994
32.0 Land and structures	3,957	4,166	4,303
33.0 Investments and loans	8	10	9
ACQUISITION OF CAPITAL ASSETS Total	6,104	7,265	6,306
41.0 Grants, subsidies, and contributions	16,157	17,133	17,458
42.0 Insurance claims and indemnities	102,184	112,805	120,826
43.0 Interest and dividends	63	55	49
44.0 Refunds	1,528	0	0
GRANTS AND FIXED CHARGES Total	119,932	129,993	138,333
99.0 Reimbursable obligations	6,218	7,797	8,299
OTHER Total	6,218	7,797	8,299
Gross Obligations Total	215,288	237,220	255,896

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Corps of Engineers--Civil Works			
11.1 Full-time permanent	1,892	1,943	1,947
11.3 Other than full-time permanent	25	24	24
11.5 Other personnel compensation	97	80	80
11.8 Special personal services payments	45	45	45
12.1 Civilian personnel benefits	387	378	378
PERSONNEL COMPENSATION AND BENEFITS Total	2,446	2,470	2,474
21.0 Travel and transportation of persons	61	49	64
22.0 Transportation of things	1	1	4
23.1 Rental payments to GSA	3	2	2
23.2 Rental payments to others	3	3	3
23.3 Communications, utilities, and miscellaneous charges	44	36	52
25.1 Advisory and assistance services	37	32	44
25.2 Other services from non-Federal sources	643	534	570
25.3 Other goods and services from Federal sources	1,017	877	1,195
25.4 Operation and maintenance of facilities	423	364	510
25.7 Operation and maintenance of equipment	6	5	8
26.0 Supplies and materials	75	65	93
CONTRACTUAL SERVICES AND SUPPLIES Total	2,313	1,968	2,545
31.0 Equipment	39	34	42
32.0 Land and structures	4,483	3,847	4,388
ACQUISITION OF CAPITAL ASSETS Total	4,522	3,881	4,430
41.0 Grants, subsidies, and contributions	5	0	0
GRANTS AND FIXED CHARGES Total	5	0	0
94.0 Financial transfers	2,112	1,115	0
99.0 Reimbursable obligations	13,133	12,813	12,941
OTHER Total	15,245	13,928	12,941
Gross Obligations Total	24,531	22,247	22,390

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Other Defense Civil Programs			
11.1 Full-time permanent	65	76	77
11.3 Other than full-time permanent	1	1	1
11.5 Other personnel compensation	4	1	2
11.8 Special personal services payments	2	2	2
12.1 Civilian personnel benefits	29	27	27
13.0 Benefits for former personnel	104,410	109,650	113,452
PERSONNEL COMPENSATION AND BENEFITS Total	104,511	109,757	113,561
21.0 Travel and transportation of persons	2	1	2
22.0 Transportation of things	1	1	1
23.1 Rental payments to GSA	2	2	2
23.3 Communications, utilities, and miscellaneous charges	17	16	16
25.1 Advisory and assistance services	7	8	8
25.2 Other services from non-Federal sources	35	37	31
25.3 Other goods and services from Federal sources	16	17	18
25.4 Operation and maintenance of facilities	12	18	10
25.6 Medical care	4	4	4
25.7 Operation and maintenance of equipment	3	3	3
25.8 Subsistence and support of persons	9	7	7
26.0 Supplies and materials	9	8	8
CONTRACTUAL SERVICES AND SUPPLIES Total	117	122	110
31.0 Equipment	4	2	1
32.0 Land and structures	50	50	37
ACQUISITION OF CAPITAL ASSETS Total	54	52	38
42.0 Insurance claims and indemnities	60,914	63,323	65,045
GRANTS AND FIXED CHARGES Total	60,914	63,323	65,045
94.0 Financial transfers	22	22	22
OTHER Total	22	22	22
Gross Obligations Total	165,618	173,276	178,776

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Environmental Protection Agency			
11.1 Full-time permanent	1,560	1,607	1,364
11.3 Other than full-time permanent	38	40	33
11.5 Other personnel compensation	40	41	35
11.7 Military personnel	6	6	5
12.1 Civilian personnel benefits	531	547	461
13.0 Benefits for former personnel	4	4	4
PERSONNEL COMPENSATION AND BENEFITS Total	2,179	2,245	1,902
21.0 Travel and transportation of persons	40	41	36
22.0 Transportation of things	1	1	1
23.1 Rental payments to GSA	238	246	208
23.2 Rental payments to others	4	4	4
23.3 Communications, utilities, and miscellaneous charges	24	25	19
24.0 Printing and reproduction	6	6	5
25.1 Advisory and assistance services	253	261	219
25.2 Other services from non-Federal sources	827	842	722
25.3 Other goods and services from Federal sources	566	586	497
25.4 Operation and maintenance of facilities	51	53	40
25.5 Research and development contracts	60	63	44
25.7 Operation and maintenance of equipment	43	46	35
26.0 Supplies and materials	19	20	15
CONTRACTUAL SERVICES AND SUPPLIES Total	2,132	2,194	1,845
31.0 Equipment	33	34	26
32.0 Land and structures	25	35	31
ACQUISITION OF CAPITAL ASSETS Total	58	69	57
41.0 Grants, subsidies, and contributions	4,443	4,918	3,468
42.0 Insurance claims and indemnities	1	1	1
GRANTS AND FIXED CHARGES Total	4,444	4,919	3,469
94.0 Financial transfers	1,084	1,076	952
99.0 Reimbursable obligations	710	741	731
OTHER Total	1,794	1,817	1,683
Gross Obligations Total	10,607	11,244	8,956

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Executive Office of the President			
11.1 Full-time permanent	214	217	230
12.1 Civilian personnel benefits	68	69	74
PERSONNEL COMPENSATION AND BENEFITS Total	282	286	304
21.0 Travel and transportation of persons	7	9	9
23.1 Rental payments to GSA	29	30	30
23.3 Communications, utilities, and miscellaneous charges	3	1	2
24.0 Printing and reproduction	0	1	1
25.2 Other services from non-Federal sources	59	53	56
25.3 Other goods and services from Federal sources	5	1	1
26.0 Supplies and materials	5	4	5
CONTRACTUAL SERVICES AND SUPPLIES Total	108	99	104
31.0 Equipment	7	7	6
32.0 Land and structures	4	0	3
ACQUISITION OF CAPITAL ASSETS Total	11	7	9
94.0 Financial transfers	40	15	15
99.0 Reimbursable obligations	26	28	23
OTHER Total	66	43	38
99.5 Adjustment for rounding	8	8	7
Adjustment for rounding Total	8	8	7
Gross Obligations Total	475	443	462

Table 1 -- OBLIGATIONS BY OBJECT CLASS
Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
General Services Administration			
11.1 Full-time permanent	89	97	158
11.3 Other than full-time permanent	3	0	0
11.5 Other personnel compensation	2	3	4
11.8 Special personal services payments	1	1	3
12.1 Civilian personnel benefits	32	33	16,698
13.0 Benefits for former personnel	1	1	46,030
PERSONNEL COMPENSATION AND BENEFITS Total	128	135	62,893
21.0 Travel and transportation of persons	3	3	6
23.1 Rental payments to GSA	10	11	12
23.3 Communications, utilities, and miscellaneous charges	0	0	28
25.1 Advisory and assistance services	75	91	177
25.2 Other services from non-Federal sources	0	0	199
25.3 Other goods and services from Federal sources	64	65	60
25.4 Operation and maintenance of facilities	22	0	0
25.7 Operation and maintenance of equipment	1	1	1
CONTRACTUAL SERVICES AND SUPPLIES Total	175	171	483
31.0 Equipment	2	5	3
32.0 Land and structures	30	0	0
ACQUISITION OF CAPITAL ASSETS Total	32	5	3
42.0 Insurance claims and indemnities	0	0	95,066
44.0 Refunds	0	0	352
GRANTS AND FIXED CHARGES Total	0	0	95,418
94.0 Financial transfers	0	30	325
99.0 Reimbursable obligations	29,352	33,149	97,335
OTHER Total	29,352	33,179	97,660
99.5 Adjustment for rounding	7	5	8
Adjustment for rounding Total	7	5	8
Gross Obligations Total	29,694	33,495	256,465

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
International Assistance Programs			
11.1 Full-time permanent	621	646	659
11.3 Other than full-time permanent	111	111	109
11.5 Other personnel compensation	15	14	14
11.8 Special personal services payments	11	11	11
12.1 Civilian personnel benefits	403	416	389
13.0 Benefits for former personnel	9	4	9
PERSONNEL COMPENSATION AND BENEFITS Total	1,170	1,202	1,191
21.0 Travel and transportation of persons	169	169	159
22.0 Transportation of things	24	24	24
23.1 Rental payments to GSA	104	104	103
23.2 Rental payments to others	82	82	82
23.3 Communications, utilities, and miscellaneous charges	29	28	27
24.0 Printing and reproduction	2	2	2
25.1 Advisory and assistance services	369	376	360
25.2 Other services from non-Federal sources	56,030	52,472	52,537
25.3 Other goods and services from Federal sources	239	240	233
25.4 Operation and maintenance of facilities	8	9	8
25.5 Research and development contracts	28	27	28
25.6 Medical care	28	28	28
25.7 Operation and maintenance of equipment	13	28	25
26.0 Supplies and materials	28	22	21
CONTRACTUAL SERVICES AND SUPPLIES Total	57,153	53,611	53,637
31.0 Equipment	201	201	193
32.0 Land and structures	232	197	193
33.0 Investments and loans	1,528	1,701	1,485
ACQUISITION OF CAPITAL ASSETS Total	1,961	2,099	1,871
41.0 Grants, subsidies, and contributions	21,415	22,274	23,634
42.0 Insurance claims and indemnities	23	3	2
GRANTS AND FIXED CHARGES Total	21,438	22,277	23,636
94.0 Financial transfers	0	30	250
99.0 Reimbursable obligations	1,135	1,202	1,092
OTHER Total	1,135	1,232	1,342
99.5 Adjustment for rounding	3	-3	-3
Adjustment for rounding Total	3	-3	-3
Gross Obligations Total	82,860	80,418	81,674

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
National Aeronautics and Space Administration			
11.1 Full-time permanent	2,076	2,107	2,150
11.3 Other than full-time permanent	35	36	40
11.5 Other personnel compensation	41	43	45
11.8 Special personal services payments	1	1	2
12.1 Civilian personnel benefits	682	722	787
13.0 Benefits for former personnel	2	2	3
PERSONNEL COMPENSATION AND BENEFITS Total	2,837	2,911	3,027
21.0 Travel and transportation of persons	92	97	106
22.0 Transportation of things	1,945	1,687	1,707
23.2 Rental payments to others	27	28	29
23.3 Communications, utilities, and miscellaneous charges	128	135	150
24.0 Printing and reproduction	4	4	4
25.1 Advisory and assistance services	922	991	1,228
25.2 Other services from non-Federal sources	716	728	788
25.3 Other goods and services from Federal sources	499	516	556
25.4 Operation and maintenance of facilities	501	521	616
25.5 Research and development contracts	10,800	11,652	13,350
25.6 Medical care	7	7	8
25.7 Operation and maintenance of equipment	1,058	1,093	1,212
26.0 Supplies and materials	137	148	173
CONTRACTUAL SERVICES AND SUPPLIES Total	16,836	17,607	19,927
31.0 Equipment	209	225	256
32.0 Land and structures	620	621	891
ACQUISITION OF CAPITAL ASSETS Total	829	846	1,147
41.0 Grants, subsidies, and contributions	1,164	1,266	1,145
GRANTS AND FIXED CHARGES Total	1,164	1,266	1,145
99.0 Reimbursable obligations	2,117	2,899	2,514
OTHER Total	2,117	2,899	2,514
Gross Obligations Total	23,783	25,529	27,760

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
National Science Foundation			
11.1 Full-time permanent	174	180	186
11.3 Other than full-time permanent	13	15	15
11.5 Other personnel compensation	3	3	3
11.8 Special personal services payments	43	44	44
12.1 Civilian personnel benefits	58	62	65
PERSONNEL COMPENSATION AND BENEFITS Total	291	304	313
21.0 Travel and transportation of persons	20	15	19
23.1 Rental payments to GSA	23	25	26
23.2 Rental payments to others	1	0	0
23.3 Communications, utilities, and miscellaneous charges	2	0	2
25.1 Advisory and assistance services	198	203	196
25.2 Other services from non-Federal sources	22	24	24
25.3 Other goods and services from Federal sources	213	209	207
25.4 Operation and maintenance of facilities	172	172	172
25.5 Research and development contracts	7	6	6
26.0 Supplies and materials	1	1	1
CONTRACTUAL SERVICES AND SUPPLIES Total	659	655	653
31.0 Equipment	6	5	2
32.0 Land and structures	103	98	90
ACQUISITION OF CAPITAL ASSETS Total	109	103	92
41.0 Grants, subsidies, and contributions	7,280	7,581	6,929
GRANTS AND FIXED CHARGES Total	7,280	7,581	6,929
99.0 Reimbursable obligations	107	140	140
OTHER Total	107	140	140
Gross Obligations Total	8,446	8,783	8,127

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Office of Personnel Management			
11.1 Full-time permanent	51	54	0
11.5 Other personnel compensation	1	1	0
12.1 Civilian personnel benefits	17,289	17,063	0
13.0 Benefits for former personnel	43,266	44,679	0
PERSONNEL COMPENSATION AND BENEFITS Total	60,607	61,797	0
21.0 Travel and transportation of persons	1	1	0
23.3 Communications, utilities, and miscellaneous charges	19	14	0
25.2 Other services from non-Federal sources	226	216	0
CONTRACTUAL SERVICES AND SUPPLIES Total	246	231	0
31.0 Equipment	8	1	0
ACQUISITION OF CAPITAL ASSETS Total	8	1	0
42.0 Insurance claims and indemnities	88,587	91,685	0
44.0 Refunds	373	366	0
GRANTS AND FIXED CHARGES Total	88,960	92,051	0
99.0 Reimbursable obligations	60,885	61,817	0
OTHER Total	60,885	61,817	0
Gross Obligations Total	210,706	215,897	0

Table 1 -- OBLIGATIONS BY OBJECT CLASS
Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Small Business Administration			
11.1 Full-time permanent	253	207	214
11.3 Other than full-time permanent	89	71	73
11.5 Other personnel compensation	17	14	14
11.8 Special personal services payments	34	27	28
12.1 Civilian personnel benefits	136	110	113
PERSONNEL COMPENSATION AND BENEFITS Total	529	429	442
21.0 Travel and transportation of persons	31	25	26
23.1 Rental payments to GSA	48	38	40
23.3 Communications, utilities, and miscellaneous charges	17	14	14
25.1 Advisory and assistance services	4	3	3
25.2 Other services from non-Federal sources	138	120	113
25.3 Other goods and services from Federal sources	203	362	359
25.4 Operation and maintenance of facilities	4	3	3
25.5 Research and development contracts	9	7	7
25.7 Operation and maintenance of equipment	19	15	16
26.0 Supplies and materials	7	6	6
CONTRACTUAL SERVICES AND SUPPLIES Total	480	593	587
31.0 Equipment	1	1	1
33.0 Investments and loans	1	2	1
ACQUISITION OF CAPITAL ASSETS Total	2	3	2
41.0 Grants, subsidies, and contributions	623	612	256
GRANTS AND FIXED CHARGES Total	623	612	256
99.0 Reimbursable obligations	20	20	20
OTHER Total	20	20	20
Gross Obligations Total	1,654	1,657	1,307

Table 1 -- OBLIGATIONS BY OBJECT CLASS
Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Social Security Administration			
11.1 Full-time permanent	4,903	5,224	5,250
11.3 Other than full-time permanent	102	110	111
11.5 Other personnel compensation	336	146	168
11.8 Special personal services payments	2	2	2
12.1 Civilian personnel benefits	1,785	2,001	2,147
13.0 Benefits for former personnel	2	3	3
PERSONNEL COMPENSATION AND BENEFITS Total	7,130	7,486	7,681
21.0 Travel and transportation of persons	25	15	15
22.0 Transportation of things	7	5	5
23.1 Rental payments to GSA	712	752	762
23.3 Communications, utilities, and miscellaneous charges	499	527	538
24.0 Printing and reproduction	36	25	24
25.1 Advisory and assistance services	100	87	85
25.2 Other services from non-Federal sources	2,864	3,033	3,118
25.3 Other goods and services from Federal sources	10,250	10,616	10,595
25.4 Operation and maintenance of facilities	363	260	266
25.5 Research and development contracts	4	8	7
25.6 Medical care	1	1	1
25.7 Operation and maintenance of equipment	906	919	893
26.0 Supplies and materials	43	28	27
CONTRACTUAL SERVICES AND SUPPLIES Total	15,810	16,276	16,336
31.0 Equipment	194	184	183
32.0 Land and structures	81	75	80
ACQUISITION OF CAPITAL ASSETS Total	275	259	263
41.0 Grants, subsidies, and contributions	55,786	56,693	56,917
42.0 Insurance claims and indemnities	1,035,363	1,090,108	1,150,551
GRANTS AND FIXED CHARGES Total	1,091,149	1,146,801	1,207,468
94.0 Financial transfers	42,376	45,516	48,885
99.0 Reimbursable obligations	2,622	2,687	2,719
OTHER Total	44,998	48,203	51,604
Gross Obligations Total	1,159,362	1,219,025	1,283,352

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Export-Import Bank of the United States			
11.1 Full-time permanent	49	55	54
12.1 Civilian personnel benefits	17	20	19
PERSONNEL COMPENSATION AND BENEFITS Total	66	75	73
21.0 Travel and transportation of persons	2	3	3
23.1 Rental payments to GSA	6	8	8
23.3 Communications, utilities, and miscellaneous charges	2	2	2
25.1 Advisory and assistance services	1	1	1
25.2 Other services from non-Federal sources	24	25	13
25.3 Other goods and services from Federal sources	2	2	2
25.7 Operation and maintenance of equipment	16	12	12
26.0 Supplies and materials	2	2	2
CONTRACTUAL SERVICES AND SUPPLIES Total	55	55	43
31.0 Equipment	6	4	4
ACQUISITION OF CAPITAL ASSETS Total	6	4	4
41.0 Grants, subsidies, and contributions	522	78	0
GRANTS AND FIXED CHARGES Total	522	78	0
Gross Obligations Total	649	212	120

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Federal Deposit Insurance Corporation			
11.1 Full-time permanent	869	919	944
12.1 Civilian personnel benefits	303	331	340
PERSONNEL COMPENSATION AND BENEFITS Total	1,172	1,250	1,284
21.0 Travel and transportation of persons	86	92	94
23.2 Rental payments to others	41	45	46
23.3 Communications, utilities, and miscellaneous charges	21	25	26
24.0 Printing and reproduction	1	1	1
25.2 Other services from non-Federal sources	335	387	398
26.0 Supplies and materials	4	7	7
CONTRACTUAL SERVICES AND SUPPLIES Total	488	557	572
31.0 Equipment	24	34	35
32.0 Land and structures	9	14	15
ACQUISITION OF CAPITAL ASSETS Total	33	48	50
42.0 Insurance claims and indemnities	206	340	6,740
43.0 Interest and dividends	0	1,747	4,221
GRANTS AND FIXED CHARGES Total	206	2,087	10,961
99.0 Reimbursable obligations	38	64	44
OTHER Total	38	64	44
99.5 Adjustment for rounding	0	-1	0
Adjustment for rounding Total	0	-1	0
Gross Obligations Total	1,937	4,005	12,911

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Postal Service			
11.1 Full-time permanent	154	155	162
11.3 Other than full-time permanent	1	1	1
11.5 Other personnel compensation	3	3	3
12.1 Civilian personnel benefits	59	59	64
PERSONNEL COMPENSATION AND BENEFITS Total	217	218	230
21.0 Travel and transportation of persons	6	6	6
22.0 Transportation of things	1	1	1
23.2 Rental payments to others	9	9	8
23.3 Communications, utilities, and miscellaneous charges	2	2	2
25.1 Advisory and assistance services	13	17	18
25.3 Other goods and services from Federal sources	1	1	1
25.7 Operation and maintenance of equipment	6	8	8
26.0 Supplies and materials	1	1	1
CONTRACTUAL SERVICES AND SUPPLIES Total	39	45	45
31.0 Equipment	10	4	4
ACQUISITION OF CAPITAL ASSETS Total	10	4	4
41.0 Grants, subsidies, and contributions	55	57	55
GRANTS AND FIXED CHARGES Total	55	57	55
99.0 Reimbursable obligations	72,516	76,720	74,601
OTHER Total	72,516	76,720	74,601
99.5 Adjustment for rounding	0	0	2
Adjustment for rounding Total	0	0	2
Gross Obligations Total	72,837	77,044	74,937

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Railroad Retirement Board			
11.1 Full-time permanent	68	63	61
11.3 Other than full-time permanent	1	2	1
11.5 Other personnel compensation	2	2	2
12.1 Civilian personnel benefits	23	22	20
PERSONNEL COMPENSATION AND BENEFITS Total	94	89	84
21.0 Travel and transportation of persons	1	1	1
23.1 Rental payments to GSA	4	4	4
23.3 Communications, utilities, and miscellaneous charges	6	6	7
25.2 Other services from non-Federal sources	25	25	27
26.0 Supplies and materials	1	1	1
CONTRACTUAL SERVICES AND SUPPLIES Total	37	37	40
31.0 Equipment	1	5	4
ACQUISITION OF CAPITAL ASSETS Total	1	5	4
41.0 Grants, subsidies, and contributions	17	16	13
42.0 Insurance claims and indemnities	13,597	13,738	14,342
GRANTS AND FIXED CHARGES Total	13,614	13,754	14,355
94.0 Financial transfers	2,341	2,379	1,703
99.0 Reimbursable obligations	46	46	47
OTHER Total	2,387	2,425	1,750
99.5 Adjustment for rounding	3	3	3
Adjustment for rounding Total	3	3	3
Gross Obligations Total	16,136	16,313	16,236

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	2019 actual	2020 estimate	2021 estimate
Other Independent Agencies			
11.1 Full-time permanent	3,594	4,029	4,096
11.3 Other than full-time permanent	110	70	68
11.5 Other personnel compensation	78	71	75
11.8 Special personal services payments	150	192	138
12.1 Civilian personnel benefits	1,304	1,407	1,421
13.0 Benefits for former personnel	1,031	1,078	1,119
PERSONNEL COMPENSATION AND BENEFITS Total	6,267	6,847	6,917
21.0 Travel and transportation of persons	101	104	98
22.0 Transportation of things	9	10	9
23.1 Rental payments to GSA	271	596	297
23.2 Rental payments to others	91	97	98
23.3 Communications, utilities, and miscellaneous charges	274	290	285
24.0 Printing and reproduction	19	20	21
25.1 Advisory and assistance services	1,087	1,178	1,196
25.2 Other services from non-Federal sources	1,650	1,670	1,435
25.3 Other goods and services from Federal sources	284	271	283
25.4 Operation and maintenance of facilities	96	105	117
25.5 Research and development contracts	6	5	7
25.6 Medical care	5	6	6
25.7 Operation and maintenance of equipment	406	440	450
26.0 Supplies and materials	74	75	62
CONTRACTUAL SERVICES AND SUPPLIES Total	4,373	4,867	4,364
31.0 Equipment	264	246	247
32.0 Land and structures	339	301	315
ACQUISITION OF CAPITAL ASSETS Total	603	547	562
41.0 Grants, subsidies, and contributions	19,388	13,203	9,379
42.0 Insurance claims and indemnities	858	2,532	1,299
43.0 Interest and dividends	2	0	0
GRANTS AND FIXED CHARGES Total	20,248	15,735	10,678
94.0 Financial transfers	1,223	398	52
99.0 Reimbursable obligations	49,343	51,400	52,895
OTHER Total	50,566	51,798	52,947
99.5 Adjustment for rounding	17	19	16
Adjustment for rounding Total	17	19	16
Gross Obligations Total	82,074	79,813	75,484

Table 1 -- OBLIGATIONS BY OBJECT CLASS
 Object Class - FY 2021 President's Budget (in millions of dollars)

Object Class	<i>2019 actual</i>	<i>2020 estimate</i>	<i>2021 estimate</i>
Allowances			
92.0 Undistributed	0	364	-7,136
OTHER Total	0	364	-7,136
Gross Obligations Total	0	364	-7,136

TABLE 2

**OBLIGATIONS
BY OBJECT CLASS AND AGENCY**

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
10	PERSONNEL COMPENSATION AND BENEFITS			
	Direct			
	Legislative Branch	2,779	2,989	3,263
	Judicial Branch	4,303	4,520	4,673
	Department of Agriculture	7,499	7,761	7,910
	Department of Commerce	3,638	6,103	3,696
	Department of Defense--Military Programs	212,226	220,750	234,102
	Department of Education	589	641	683
	Department of Energy	1,451	1,590	1,597
	Department of Health and Human Services	8,709	9,098	9,180
	Department of Homeland Security	32,047	33,319	31,918
	Department of Housing and Urban Development	1,164	1,279	1,331
	Department of the Interior	5,680	5,898	5,685
	Department of Justice	16,663	17,446	18,235
	Department of Labor	1,859	1,909	1,951
	Department of State	4,393	4,214	4,248
	Department of Transportation	9,038	9,476	9,749
	Department of the Treasury	9,104	9,625	12,106
	Department of Veterans Affairs	43,470	46,846	49,865
	Corps of Engineers--Civil Works	2,446	2,470	2,474
	Other Defense Civil Programs	104,511	109,757	113,561
	Environmental Protection Agency	2,179	2,245	1,902
	Executive Office of the President	282	286	304
	General Services Administration	128	135	62,893
	International Assistance Programs	1,170	1,202	1,191
	National Aeronautics and Space Administration	2,837	2,911	3,027
	National Science Foundation	291	304	313
	Office of Personnel Management	60,607	61,797	0
	Small Business Administration	529	429	442
	Social Security Administration	7,130	7,486	7,681
	Export-Import Bank of the United States	66	75	73
	Federal Deposit Insurance Corporation	1,172	1,250	1,284
	Postal Service	217	218	230
	Railroad Retirement Board	94	89	84
	Other Independent Agencies	6,267	6,847	6,917
	Direct Total	554,538	580,965	602,568
	Reimbursable			
	Reimbursable obligations	110,500	110,585	113,429
	Reimbursable Total	110,500	110,585	113,429
	PERSONNEL COMPENSATION AND BENEFITS Total	665,038	691,550	715,997

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

Object Class		2019 actual	2020 estimate	2021 estimate
11.1	Full-time permanent			
	Direct			
	Legislative Branch	1,987	2,137	2,321
	Judicial Branch	2,372	2,494	2,587
	Department of Agriculture	4,771	4,948	5,023
	Department of Commerce	2,334	2,429	2,369
	Department of Defense--Military Programs	41,699	43,011	44,595
	Department of Education	417	470	499
	Department of Energy	1,021	1,116	1,127
	Department of Health and Human Services	4,604	4,819	4,848
	Department of Homeland Security	15,139	16,279	15,538
	Department of Housing and Urban Development	854	940	976
	Department of the Interior	3,574	3,658	3,536
	Department of Justice	9,846	10,402	10,881
	Department of Labor	1,340	1,369	1,399
	Department of State	3,047	2,971	2,972
	Department of Transportation	5,931	6,178	6,298
	Department of the Treasury	6,308	6,681	7,892
	Department of Veterans Affairs	28,731	30,933	32,830
	Corps of Engineers--Civil Works	1,892	1,943	1,947
	Other Defense Civil Programs	65	76	77
	Environmental Protection Agency	1,560	1,607	1,364
	Executive Office of the President	214	217	230
	General Services Administration	89	97	158
	International Assistance Programs	621	646	659
	National Aeronautics and Space Administration	2,076	2,107	2,150
	National Science Foundation	174	180	186
	Office of Personnel Management	51	54	0
	Small Business Administration	253	207	214
	Social Security Administration	4,903	5,224	5,250
	Export-Import Bank of the United States	49	55	54
	Federal Deposit Insurance Corporation	869	919	944
	Postal Service	154	155	162
	Railroad Retirement Board	68	63	61
	Other Independent Agencies	3,594	4,029	4,096
	Direct Total	150,607	158,414	163,243
	Reimbursable			
	Reimbursable obligations	64,121	63,567	64,973
	Reimbursable Total	64,121	63,567	64,973
	Full-time permanent Total	214,728	221,981	228,216

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
11.3	Other than full-time permanent			
	Direct			
	Legislative Branch	34	40	35
	Judicial Branch	825	865	898
	Department of Agriculture	189	211	219
	Department of Commerce	250	2,275	188
	Department of Defense--Military Programs	870	913	942
	Department of Education	18	8	7
	Department of Energy	32	33	27
	Department of Health and Human Services	805	820	827
	Department of Homeland Security	574	512	486
	Department of Housing and Urban Development	2	2	3
	Department of the Interior	386	458	426
	Department of Justice	267	226	206
	Department of Labor	19	21	21
	Department of State	74	73	75
	Department of Transportation	57	55	58
	Department of the Treasury	91	96	113
	Department of Veterans Affairs	549	590	629
	Corps of Engineers--Civil Works	25	24	24
	Other Defense Civil Programs	1	1	1
	Environmental Protection Agency	38	40	33
	General Services Administration	3	0	0
	International Assistance Programs	111	111	109
	National Aeronautics and Space Administration	35	36	40
	National Science Foundation	13	15	15
	Small Business Administration	89	71	73
	Social Security Administration	102	110	111
	Postal Service	1	1	1
	Railroad Retirement Board	1	2	1
	Other Independent Agencies	110	70	68
	Direct Total	5,571	7,679	5,636
	Reimbursable			
	Reimbursable obligations	5,884	6,070	6,087
	Reimbursable Total	5,884	6,070	6,087
	Other than full-time permanent Total	11,455	13,749	11,723

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
11.5	Other personnel compensation			
	Direct			
	Legislative Branch	54	54	58
	Department of Agriculture	431	421	436
	Department of Commerce	128	106	105
	Department of Defense--Military Programs	2,733	2,445	2,705
	Department of Education	9	7	11
	Department of Energy	39	41	43
	Department of Health and Human Services	219	226	227
	Department of Homeland Security	2,955	2,714	2,564
	Department of Housing and Urban Development	19	13	15
	Department of the Interior	272	274	267
	Department of Justice	1,225	1,258	1,282
	Department of Labor	26	31	34
	Department of State	90	86	86
	Department of Transportation	549	562	588
	Department of the Treasury	295	212	496
	Department of Veterans Affairs	3,369	3,653	3,866
	Corps of Engineers--Civil Works	97	80	80
	Other Defense Civil Programs	4	1	2
	Environmental Protection Agency	40	41	35
	General Services Administration	2	3	4
	International Assistance Programs	15	14	14
	National Aeronautics and Space Administration	41	43	45
	National Science Foundation	3	3	3
	Office of Personnel Management	1	1	0
	Small Business Administration	17	14	14
	Social Security Administration	336	146	168
	Postal Service	3	3	3
	Railroad Retirement Board	2	2	2
	Other Independent Agencies	78	71	75
	Direct Total	13,052	12,525	13,228
	Reimbursable			
	Reimbursable obligations	9,347	9,496	9,909
	Reimbursable Total	9,347	9,496	9,909
	Other personnel compensation Total	22,399	22,021	23,137

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
11.6	Military personnel - basic allowance for housing			
	Direct			
	Department of Defense--Military Programs	23,517	24,338	25,526
	Department of Homeland Security	854	896	934
	Direct Total	24,371	25,234	26,460
	Reimbursable			
	Reimbursable obligations	230	247	248
	Reimbursable Total	230	247	248
	Military personnel - basic allowance for housing Total	24,601	25,481	26,708

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
11.7	Military personnel			
	Direct			
	Department of Commerce	36	37	38
	Department of Defense--Military Programs	79,048	81,921	84,759
	Department of Health and Human Services	286	288	294
	Department of Homeland Security	2,152	2,255	2,353
	Environmental Protection Agency	6	6	5
	Direct Total	81,528	84,507	87,449
	Reimbursable			
	Reimbursable obligations	974	1,012	1,022
	Reimbursable Total	974	1,012	1,022
	Military personnel Total	82,502	85,519	88,471

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
11.8	Special personal services payments			
	Direct			
	Legislative Branch	4	3	3
	Judicial Branch	26	27	28
	Department of Agriculture	46	50	50
	Department of Defense--Military Programs	187	167	178
	Department of Energy	1	1	1
	Department of Health and Human Services	209	219	219
	Department of Homeland Security	234	246	30
	Department of the Interior	20	20	20
	Department of Justice	236	234	255
	Department of State	24	24	24
	Department of the Treasury	30	22	243
	Corps of Engineers--Civil Works	45	45	45
	Other Defense Civil Programs	2	2	2
	General Services Administration	1	1	3
	International Assistance Programs	11	11	11
	National Aeronautics and Space Administration	1	1	2
	National Science Foundation	43	44	44
	Small Business Administration	34	27	28
	Social Security Administration	2	2	2
	Other Independent Agencies	150	192	138
	Direct Total	1,306	1,338	1,326
	Reimbursable			
	Reimbursable obligations	387	379	366
	Reimbursable Total	387	379	366
	Special personal services payments Total	1,693	1,717	1,692

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
12.1	Civilian personnel benefits			
	Direct			
	Legislative Branch	696	751	841
	Judicial Branch	1,072	1,125	1,151
	Department of Agriculture	2,014	2,086	2,136
	Department of Commerce	858	1,217	959
	Department of Defense--Military Programs	15,567	16,520	17,429
	Department of Education	145	156	166
	Department of Energy	355	395	395
	Department of Health and Human Services	1,863	1,980	1,997
	Department of Homeland Security	7,955	8,365	7,872
	Department of Housing and Urban Development	289	324	337
	Department of the Interior	1,425	1,482	1,430
	Department of Justice	5,087	5,324	5,609
	Department of Labor	474	488	497
	Department of State	1,153	1,055	1,086
	Department of Transportation	2,497	2,676	2,800
	Department of the Treasury	2,350	2,579	3,327
	Department of Veterans Affairs	10,808	11,657	12,527
	Corps of Engineers--Civil Works	387	378	378
	Other Defense Civil Programs	29	27	27
	Environmental Protection Agency	531	547	461
	Executive Office of the President	68	69	74
	General Services Administration	32	33	16,698
	International Assistance Programs	403	416	389
	National Aeronautics and Space Administration	682	722	787
	National Science Foundation	58	62	65
	Office of Personnel Management	17,289	17,063	0
	Small Business Administration	136	110	113
	Social Security Administration	1,785	2,001	2,147
	Export-Import Bank of the United States	17	20	19
	Federal Deposit Insurance Corporation	303	331	340
	Postal Service	59	59	64
	Railroad Retirement Board	23	22	20
	Other Independent Agencies	1,304	1,407	1,421
	Direct Total	77,714	81,447	83,562
	Reimbursable			
	Reimbursable obligations	29,125	29,234	30,131
	Reimbursable Total	29,125	29,234	30,131
	Civilian personnel benefits Total	106,839	110,681	113,693

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
12.2	Military personnel benefits			
	Direct			
	Department of Commerce	3	3	3
	Department of Defense--Military Programs	48,377	51,184	57,737
	Department of Health and Human Services	199	204	206
	Department of Homeland Security	463	513	529
	Direct Total	49,042	51,904	58,475
	Reimbursable			
	Reimbursable obligations	337	380	392
	Reimbursable Total	337	380	392
	Military personnel benefits Total	49,379	52,284	58,867

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
13.0	Benefits for former personnel			
	Direct			
	Legislative Branch	4	4	5
	Judicial Branch	8	9	9
	Department of Agriculture	48	45	46
	Department of Commerce	29	36	34
	Department of Defense--Military Programs	228	251	231
	Department of Energy	3	4	4
	Department of Health and Human Services	524	542	562
	Department of Homeland Security	1,721	1,539	1,612
	Department of the Interior	3	6	6
	Department of Justice	2	2	2
	Department of State	5	5	5
	Department of Transportation	4	5	5
	Department of the Treasury	30	35	35
	Department of Veterans Affairs	13	13	13
	Other Defense Civil Programs	104,410	109,650	113,452
	Environmental Protection Agency	4	4	4
	General Services Administration	1	1	46,030
	International Assistance Programs	9	4	9
	National Aeronautics and Space Administration	2	2	3
	Office of Personnel Management	43,266	44,679	0
	Social Security Administration	2	3	3
	Other Independent Agencies	1,031	1,078	1,119
	Direct Total	151,347	157,917	163,189
	Reimbursable			
	Reimbursable obligations	95	200	301
	Reimbursable Total	95	200	301
	Benefits for former personnel Total	151,442	158,117	163,490

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
20	CONTRACTUAL SERVICES AND SUPPLIES			
	Direct			
	Legislative Branch	1,937	2,061	2,244
	Judicial Branch	3,409	3,676	3,726
	Department of Agriculture	13,617	15,976	13,265
	Department of Commerce	6,018	7,289	4,009
	Department of Defense--Military Programs	339,995	333,902	334,318
	Department of Education	2,224	2,277	2,210
	Department of Energy	28,001	30,848	28,844
	Department of Health and Human Services	27,175	27,333	24,199
	Department of Homeland Security	27,175	29,128	25,373
	Department of Housing and Urban Development	1,029	1,138	1,122
	Department of the Interior	6,940	9,418	6,850
	Department of Justice	14,944	15,013	14,743
	Department of Labor	2,898	2,851	2,914
	Department of State	10,442	11,855	10,225
	Department of Transportation	7,415	9,164	7,931
	Department of the Treasury	5,934	5,640	6,561
	Department of Veterans Affairs	39,564	45,319	53,093
	Corps of Engineers--Civil Works	2,313	1,968	2,545
	Other Defense Civil Programs	117	122	110
	Environmental Protection Agency	2,132	2,194	1,845
	Executive Office of the President	108	99	104
	General Services Administration	175	171	483
	International Assistance Programs	57,153	53,611	53,637
	National Aeronautics and Space Administration	16,836	17,607	19,927
	National Science Foundation	659	655	653
	Office of Personnel Management	246	231	0
	Small Business Administration	480	593	587
	Social Security Administration	15,810	16,276	16,336
	Export-Import Bank of the United States	55	55	43
	Federal Deposit Insurance Corporation	488	557	572
	Postal Service	39	45	45
	Railroad Retirement Board	37	37	40
	Other Independent Agencies	4,373	4,867	4,364
	Direct Total	639,738	651,976	642,918
	Reimbursable			
	Reimbursable obligations	309,745	314,531	319,884
	Reimbursable Total	309,745	314,531	319,884
	CONTRACTUAL SERVICES AND SUPPLIES Total	949,483	966,507	962,802

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
21.0	Travel and transportation of persons			
	Direct			
	Legislative Branch	78	77	81
	Judicial Branch	120	120	125
	Department of Agriculture	304	344	345
	Department of Commerce	156	429	110
	Department of Defense--Military Programs	9,533	9,679	9,053
	Department of Education	6	8	9
	Department of Energy	59	67	70
	Department of Health and Human Services	243	222	221
	Department of Homeland Security	1,853	2,020	1,491
	Department of Housing and Urban Development	17	22	17
	Department of the Interior	179	185	184
	Department of Justice	450	443	450
	Department of Labor	46	47	48
	Department of State	311	437	310
	Department of Transportation	262	241	238
	Department of the Treasury	112	150	350
	Department of Veterans Affairs	1,298	1,328	1,378
	Corps of Engineers--Civil Works	61	49	64
	Other Defense Civil Programs	2	1	2
	Environmental Protection Agency	40	41	36
	Executive Office of the President	7	9	9
	General Services Administration	3	3	6
	International Assistance Programs	169	169	159
	National Aeronautics and Space Administration	92	97	106
	National Science Foundation	20	15	19
	Office of Personnel Management	1	1	0
	Small Business Administration	31	25	26
	Social Security Administration	25	15	15
	Export-Import Bank of the United States	2	3	3
	Federal Deposit Insurance Corporation	86	92	94
	Postal Service	6	6	6
	Railroad Retirement Board	1	1	1
	Other Independent Agencies	101	104	98
	Direct Total	15,674	16,450	15,124
	Reimbursable			
	Reimbursable obligations	2,044	1,986	2,094
	Reimbursable Total	2,044	1,986	2,094
	Travel and transportation of persons Total	17,718	18,436	17,218

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
22.0	Transportation of things			
	Direct			
	Legislative Branch	1	1	1
	Judicial Branch	4	6	6
	Department of Agriculture	84	92	96
	Department of Commerce	24	38	25
	Department of Defense--Military Programs	6,472	6,634	7,237
	Department of Energy	1	0	0
	Department of Health and Human Services	29	29	31
	Department of Homeland Security	487	568	334
	Department of Housing and Urban Development	1	1	0
	Department of the Interior	23	23	24
	Department of Justice	46	40	41
	Department of Labor	7	7	7
	Department of State	42	57	55
	Department of Transportation	26	27	27
	Department of the Treasury	23	24	35
	Department of Veterans Affairs	56	58	60
	Corps of Engineers--Civil Works	1	1	4
	Other Defense Civil Programs	1	1	1
	Environmental Protection Agency	1	1	1
	International Assistance Programs	24	24	24
	National Aeronautics and Space Administration	1,945	1,687	1,707
	Social Security Administration	7	5	5
	Postal Service	1	1	1
	Other Independent Agencies	9	10	9
	Direct Total	9,315	9,335	9,731
	Reimbursable			
	Reimbursable obligations	15,175	15,575	15,568
	Reimbursable Total	15,175	15,575	15,568
	Transportation of things Total	24,490	24,910	25,299

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
23.1	Rental payments to GSA			
	Direct			
	Legislative Branch	21	22	23
	Judicial Branch	1,054	1,082	1,114
	Department of Agriculture	189	196	197
	Department of Commerce	276	327	199
	Department of Defense--Military Programs	559	395	450
	Department of Education	65	70	67
	Department of Energy	64	68	66
	Department of Health and Human Services	323	337	326
	Department of Homeland Security	1,611	1,927	1,844
	Department of Housing and Urban Development	108	110	111
	Department of the Interior	236	262	261
	Department of Justice	1,749	1,855	1,829
	Department of Labor	165	166	167
	Department of State	352	376	276
	Department of Transportation	218	233	231
	Department of the Treasury	637	638	757
	Department of Veterans Affairs	141	149	151
	Corps of Engineers--Civil Works	3	2	2
	Other Defense Civil Programs	2	2	2
	Environmental Protection Agency	238	246	208
	Executive Office of the President	29	30	30
	General Services Administration	10	11	12
	International Assistance Programs	104	104	103
	National Science Foundation	23	25	26
	Small Business Administration	48	38	40
	Social Security Administration	712	752	762
	Export-Import Bank of the United States	6	8	8
	Railroad Retirement Board	4	4	4
	Other Independent Agencies	271	596	297
	Direct Total	9,218	10,031	9,563
	Reimbursable			
	Reimbursable obligations	2,394	2,325	2,184
	Reimbursable Total	2,394	2,325	2,184
	Rental payments to GSA Total	11,612	12,356	11,747

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
23.2	Rental payments to others			
	Direct			
	Legislative Branch	17	20	20
	Judicial Branch	37	39	42
	Department of Agriculture	116	125	131
	Department of Commerce	50	55	52
	Department of Defense--Military Programs	1,966	2,482	1,940
	Department of Energy	4	4	4
	Department of Health and Human Services	14	15	16
	Department of Homeland Security	245	294	219
	Department of the Interior	73	71	75
	Department of Justice	160	114	137
	Department of Labor	14	14	14
	Department of State	47	62	45
	Department of Transportation	87	104	97
	Department of the Treasury	13	12	23
	Department of Veterans Affairs	1,851	2,200	2,015
	Corps of Engineers--Civil Works	3	3	3
	Environmental Protection Agency	4	4	4
	International Assistance Programs	82	82	82
	National Aeronautics and Space Administration	27	28	29
	National Science Foundation	1	0	0
	Federal Deposit Insurance Corporation	41	45	46
	Postal Service	9	9	8
	Other Independent Agencies	91	97	98
	Direct Total	4,952	5,879	5,100
	Reimbursable			
	Reimbursable obligations	8,567	8,205	8,799
	Reimbursable Total	8,567	8,205	8,799
	Rental payments to others Total	13,519	14,084	13,899

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
23.3	Communications, utilities, and miscellaneous charges			
	Direct			
	Legislative Branch	124	146	165
	Judicial Branch	227	248	238
	Department of Agriculture	309	349	340
	Department of Commerce	192	424	174
	Department of Defense--Military Programs	9,403	9,315	9,303
	Department of Education	1	1	1
	Department of Energy	127	140	126
	Department of Health and Human Services	110	113	105
	Department of Homeland Security	719	754	689
	Department of Housing and Urban Development	18	22	22
	Department of the Interior	304	336	332
	Department of Justice	794	815	808
	Department of Labor	16	22	21
	Department of State	2,112	3,769	3,879
	Department of Transportation	448	431	418
	Department of the Treasury	345	353	428
	Department of Veterans Affairs	1,150	1,129	1,243
	Corps of Engineers--Civil Works	44	36	52
	Other Defense Civil Programs	17	16	16
	Environmental Protection Agency	24	25	19
	Executive Office of the President	3	1	2
	General Services Administration	0	0	28
	International Assistance Programs	29	28	27
	National Aeronautics and Space Administration	128	135	150
	National Science Foundation	2	0	2
	Office of Personnel Management	19	14	0
	Small Business Administration	17	14	14
	Social Security Administration	499	527	538
	Export-Import Bank of the United States	2	2	2
	Federal Deposit Insurance Corporation	21	25	26
	Postal Service	2	2	2
	Railroad Retirement Board	6	6	7
	Other Independent Agencies	274	290	285
	Direct Total	17,486	19,488	19,462
	Reimbursable			
	Reimbursable obligations	9,226	8,237	8,421
	Reimbursable Total	9,226	8,237	8,421
	Communications, utilities, and miscellaneous charges Total	26,712	27,725	27,883

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
24.0	Printing and reproduction			
	Direct			
	Legislative Branch	100	100	99
	Judicial Branch	14	14	14
	Department of Agriculture	109	95	94
	Department of Commerce	150	46	10
	Department of Defense--Military Programs	484	650	696
	Department of Education	1	1	1
	Department of Energy	0	1	1
	Department of Health and Human Services	54	51	48
	Department of Homeland Security	627	83	82
	Department of Housing and Urban Development	1	2	2
	Department of the Interior	11	12	12
	Department of Justice	17	18	17
	Department of Labor	5	3	4
	Department of State	65	65	65
	Department of Transportation	5	5	5
	Department of the Treasury	29	32	33
	Department of Veterans Affairs	45	47	47
	Environmental Protection Agency	6	6	5
	Executive Office of the President	0	1	1
	International Assistance Programs	2	2	2
	National Aeronautics and Space Administration	4	4	4
	Social Security Administration	36	25	24
	Federal Deposit Insurance Corporation	1	1	1
	Other Independent Agencies	19	20	21
	Direct Total	1,785	1,284	1,288
	Reimbursable			
	Reimbursable obligations	825	804	828
	Reimbursable Total	825	804	828
	Printing and reproduction Total	2,610	2,088	2,116

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
25.1	Advisory and assistance services			
	Direct			
	Legislative Branch	155	182	224
	Judicial Branch	523	637	621
	Department of Agriculture	82	128	134
	Department of Commerce	1,823	2,697	958
	Department of Defense--Military Programs	26,584	21,532	21,282
	Department of Education	68	74	47
	Department of Energy	1,913	2,106	1,983
	Department of Health and Human Services	2,659	2,879	2,526
	Department of Homeland Security	4,745	5,036	4,751
	Department of Housing and Urban Development	36	36	36
	Department of the Interior	161	168	161
	Department of Justice	1,923	1,685	1,543
	Department of Labor	75	80	85
	Department of State	2,153	1,935	1,041
	Department of Transportation	2,642	4,212	3,168
	Department of the Treasury	1,628	1,470	1,551
	Department of Veterans Affairs	97	102	107
	Corps of Engineers--Civil Works	37	32	44
	Other Defense Civil Programs	7	8	8
	Environmental Protection Agency	253	261	219
	General Services Administration	75	91	177
	International Assistance Programs	369	376	360
	National Aeronautics and Space Administration	922	991	1,228
	National Science Foundation	198	203	196
	Small Business Administration	4	3	3
	Social Security Administration	100	87	85
	Export-Import Bank of the United States	1	1	1
	Postal Service	13	17	18
	Other Independent Agencies	1,087	1,178	1,196
	Direct Total	50,333	48,207	43,753
	Reimbursable			
	Reimbursable obligations	16,400	20,464	20,719
	Reimbursable Total	16,400	20,464	20,719
	Advisory and assistance services Total	66,733	68,671	64,472

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
25.2	Other services from non-Federal sources			
	Direct			
	Legislative Branch	1,120	1,183	1,276
	Judicial Branch	1,185	1,257	1,308
	Department of Agriculture	6,871	7,754	6,063
	Department of Commerce	1,612	1,620	1,058
	Department of Defense--Military Programs	22,073	15,758	14,229
	Department of Education	1,297	1,377	1,300
	Department of Energy	1,524	2,394	1,734
	Department of Health and Human Services	9,579	9,919	8,456
	Department of Homeland Security	5,026	6,277	4,554
	Department of Housing and Urban Development	455	601	582
	Department of the Interior	3,827	6,066	3,554
	Department of Justice	4,668	5,188	4,985
	Department of Labor	1,552	1,441	1,459
	Department of State	1,834	1,518	1,143
	Department of Transportation	2,629	2,684	2,661
	Department of the Treasury	2,121	1,919	2,204
	Department of Veterans Affairs	21,670	26,245	33,266
	Corps of Engineers--Civil Works	643	534	570
	Other Defense Civil Programs	35	37	31
	Environmental Protection Agency	827	842	722
	Executive Office of the President	59	53	56
	General Services Administration	0	0	199
	International Assistance Programs	56,030	52,472	52,537
	National Aeronautics and Space Administration	716	728	788
	National Science Foundation	22	24	24
	Office of Personnel Management	226	216	0
	Small Business Administration	138	120	113
	Social Security Administration	2,864	3,033	3,118
	Export-Import Bank of the United States	24	25	13
	Federal Deposit Insurance Corporation	335	387	398
	Railroad Retirement Board	25	25	27
	Other Independent Agencies	1,650	1,670	1,435
	Direct Total	152,637	153,367	149,863
	Reimbursable			
	Reimbursable obligations	35,568	38,602	39,253
	Reimbursable Total	35,568	38,602	39,253
	Other services from non-Federal sources Total	188,205	191,969	189,116

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
25.3	Other goods and services from Federal sources			
	Direct			
	Legislative Branch	50	30	36
	Judicial Branch	154	162	157
	Department of Agriculture	1,710	1,832	1,722
	Department of Commerce	1,234	1,118	1,018
	Department of Defense--Military Programs	61,090	62,534	58,597
	Department of Education	85	87	62
	Department of Energy	272	285	319
	Department of Health and Human Services	7,472	6,986	6,257
	Department of Homeland Security	3,937	3,693	2,840
	Department of Housing and Urban Development	57	45	86
	Department of the Interior	1,096	1,052	975
	Department of Justice	1,128	1,137	1,055
	Department of Labor	677	777	776
	Department of State	1,916	2,056	2,126
	Department of Transportation	463	547	488
	Department of the Treasury	677	664	716
	Department of Veterans Affairs	69	72	81
	Corps of Engineers--Civil Works	1,017	877	1,195
	Other Defense Civil Programs	16	17	18
	Environmental Protection Agency	566	586	497
	Executive Office of the President	5	1	1
	General Services Administration	64	65	60
	International Assistance Programs	239	240	233
	National Aeronautics and Space Administration	499	516	556
	National Science Foundation	213	209	207
	Small Business Administration	203	362	359
	Social Security Administration	10,250	10,616	10,595
	Export-Import Bank of the United States	2	2	2
	Postal Service	1	1	1
	Other Independent Agencies	284	271	283
	Direct Total	95,446	96,840	91,318
	Reimbursable			
	Reimbursable obligations	28,893	24,925	25,502
	Reimbursable Total	28,893	24,925	25,502
	Other goods and services from Federal sources Total	124,339	121,765	116,820

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
25.4	Operation and maintenance of facilities			
	Direct			
	Legislative Branch	119	136	152
	Judicial Branch	3	11	7
	Department of Agriculture	301	449	558
	Department of Commerce	27	27	11
	Department of Defense--Military Programs	16,296	16,855	14,941
	Department of Energy	22,799	24,282	23,572
	Department of Health and Human Services	552	600	526
	Department of Homeland Security	3,158	3,435	3,587
	Department of the Interior	460	592	633
	Department of Justice	520	346	357
	Department of Labor	67	65	76
	Department of State	460	669	571
	Department of Transportation	173	166	129
	Department of the Treasury	191	193	201
	Corps of Engineers--Civil Works	423	364	510
	Other Defense Civil Programs	12	18	10
	Environmental Protection Agency	51	53	40
	General Services Administration	22	0	0
	International Assistance Programs	8	9	8
	National Aeronautics and Space Administration	501	521	616
	National Science Foundation	172	172	172
	Small Business Administration	4	3	3
	Social Security Administration	363	260	266
	Other Independent Agencies	96	105	117
	Direct Total	46,778	49,331	47,063
	Reimbursable			
	Reimbursable obligations	13,370	11,450	11,902
	Reimbursable Total	13,370	11,450	11,902
	Operation and maintenance of facilities Total	60,148	60,781	58,965

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

Object Class		<i>2019 actual</i>	<i>2020 estimate</i>	<i>2021 estimate</i>
25.5	Research and development contracts			
	Direct			
	Legislative Branch	1	1	1
	Department of Agriculture	352	421	383
	Department of Commerce	69	68	52
	Department of Defense--Military Programs	72,526	78,617	79,888
	Department of Education	77	75	17
	Department of Energy	1,162	1,392	872
	Department of Health and Human Services	1,833	1,976	1,634
	Department of Homeland Security	286	271	249
	Department of Housing and Urban Development	11	28	18
	Department of the Interior	21	40	34
	Department of Justice	3	1	1
	Department of Labor	14	13	14
	Department of State	1	1	1
	Department of Transportation	80	119	90
	Environmental Protection Agency	60	63	44
	International Assistance Programs	28	27	28
	National Aeronautics and Space Administration	10,800	11,652	13,350
	National Science Foundation	7	6	6
	Small Business Administration	9	7	7
	Social Security Administration	4	8	7
	Other Independent Agencies	6	5	7
	Direct Total	87,350	94,791	96,703
	Reimbursable			
	Reimbursable obligations	13,328	14,641	14,701
	Reimbursable Total	13,328	14,641	14,701
	Research and development contracts Total	100,678	109,432	111,404

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
25.6	Medical care			
	Direct			
	Department of Defense--Military Programs	15,407	15,722	18,564
	Department of Energy	27	29	29
	Department of Health and Human Services	2,204	2,372	2,388
	Department of Homeland Security	738	687	765
	Department of the Interior	10	13	13
	Department of Justice	92	99	109
	Department of State	6	6	6
	Department of Transportation	3	4	1
	Department of the Treasury	14	15	16
	Other Defense Civil Programs	4	4	4
	International Assistance Programs	28	28	28
	National Aeronautics and Space Administration	7	7	8
	Social Security Administration	1	1	1
	Other Independent Agencies	5	6	6
	Direct Total	18,546	18,993	21,938
	Reimbursable			
	Reimbursable obligations	59,659	62,730	65,036
	Reimbursable Total	59,659	62,730	65,036
	Medical care Total	78,205	81,723	86,974

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
25.7	Operation and maintenance of equipment			
	Direct			
	Legislative Branch	74	80	79
	Judicial Branch	52	64	56
	Department of Agriculture	56	57	71
	Department of Commerce	231	231	205
	Department of Defense--Military Programs	46,352	47,533	49,766
	Department of Education	624	583	705
	Department of Energy	14	19	16
	Department of Health and Human Services	446	458	360
	Department of Homeland Security	2,189	2,410	2,485
	Department of Housing and Urban Development	323	269	247
	Department of the Interior	178	199	197
	Department of Justice	731	628	630
	Department of Labor	222	180	205
	Department of State	693	545	467
	Department of Transportation	186	195	192
	Department of the Treasury	94	99	110
	Corps of Engineers--Civil Works	6	5	8
	Other Defense Civil Programs	3	3	3
	Environmental Protection Agency	43	46	35
	General Services Administration	1	1	1
	International Assistance Programs	13	28	25
	National Aeronautics and Space Administration	1,058	1,093	1,212
	Small Business Administration	19	15	16
	Social Security Administration	906	919	893
	Export-Import Bank of the United States	16	12	12
	Postal Service	6	8	8
	Other Independent Agencies	406	440	450
	Direct Total	54,942	56,120	58,454
	Reimbursable			
	Reimbursable obligations	13,047	12,528	13,139
	Reimbursable Total	13,047	12,528	13,139
	Operation and maintenance of equipment Total	67,989	68,648	71,593

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
25.8	Subsistence and support of persons			
	Direct			
	Department of Commerce	6	1	1
	Department of Defense--Military Programs	992	1,199	1,370
	Department of Health and Human Services	8	8	8
	Department of Homeland Security	183	28	21
	Department of Justice	1,701	1,728	1,836
	Department of Transportation	0	1	1
	Other Defense Civil Programs	9	7	7
	Direct Total	2,899	2,972	3,244
	Reimbursable			
	Reimbursable obligations	92	102	125
	Reimbursable Total	92	102	125
	Subsistence and support of persons Total	2,991	3,074	3,369

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
26.0	Supplies and materials			
	Direct			
	Legislative Branch	77	83	87
	Judicial Branch	36	36	38
	Department of Agriculture	3,134	4,134	3,131
	Department of Commerce	168	208	136
	Department of Defense--Military Programs	50,258	44,997	47,002
	Department of Education	0	1	1
	Department of Energy	35	61	52
	Department of Health and Human Services	1,649	1,368	1,297
	Department of Homeland Security	1,371	1,645	1,462
	Department of Housing and Urban Development	2	2	1
	Department of the Interior	361	399	395
	Department of Justice	962	916	945
	Department of Labor	38	36	38
	Department of State	450	359	240
	Department of Transportation	193	195	185
	Department of the Treasury	50	71	137
	Department of Veterans Affairs	13,187	13,989	14,745
	Corps of Engineers--Civil Works	75	65	93
	Other Defense Civil Programs	9	8	8
	Environmental Protection Agency	19	20	15
	Executive Office of the President	5	4	5
	International Assistance Programs	28	22	21
	National Aeronautics and Space Administration	137	148	173
	National Science Foundation	1	1	1
	Small Business Administration	7	6	6
	Social Security Administration	43	28	27
	Export-Import Bank of the United States	2	2	2
	Federal Deposit Insurance Corporation	4	7	7
	Postal Service	1	1	1
	Railroad Retirement Board	1	1	1
	Other Independent Agencies	74	75	62
	Direct Total	72,377	68,888	70,314
	Reimbursable			
	Reimbursable obligations	91,157	91,957	91,613
	Reimbursable Total	91,157	91,957	91,613
	Supplies and materials Total	163,534	160,845	161,927

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
30	ACQUISITION OF CAPITAL ASSETS			
	Direct			
	Legislative Branch	419	282	314
	Judicial Branch	327	374	343
	Department of Agriculture	8,256	11,325	11,028
	Department of Commerce	717	738	680
	Department of Defense--Military Programs	155,761	166,869	152,290
	Department of Education	25	14	21
	Department of Energy	5,231	5,711	5,367
	Department of Health and Human Services	718	800	617
	Department of Homeland Security	5,576	6,264	5,884
	Department of Housing and Urban Development	64	63	62
	Department of the Interior	667	719	703
	Department of Justice	1,090	1,442	1,198
	Department of Labor	59	94	135
	Department of State	881	1,357	1,116
	Department of Transportation	652	803	532
	Department of the Treasury	477	387	593
	Department of Veterans Affairs	6,104	7,265	6,306
	Corps of Engineers--Civil Works	4,522	3,881	4,430
	Other Defense Civil Programs	54	52	38
	Environmental Protection Agency	58	69	57
	Executive Office of the President	11	7	9
	General Services Administration	32	5	3
	International Assistance Programs	1,961	2,099	1,871
	National Aeronautics and Space Administration	829	846	1,147
	National Science Foundation	109	103	92
	Office of Personnel Management	8	1	0
	Small Business Administration	2	3	2
	Social Security Administration	275	259	263
	Export-Import Bank of the United States	6	4	4
	Federal Deposit Insurance Corporation	33	48	50
	Postal Service	10	4	4
	Railroad Retirement Board	1	5	4
	Other Independent Agencies	603	547	562
	Direct Total	195,538	212,440	195,725
	Reimbursable			
	Reimbursable obligations	68,430	74,981	73,871
	Reimbursable Total	68,430	74,981	73,871
	ACQUISITION OF CAPITAL ASSETS Total	263,968	287,421	269,596

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

Object Class		<i>2019 actual</i>	<i>2020 estimate</i>	<i>2021 estimate</i>
31.0	Equipment			
	Direct			
	Legislative Branch	166	155	178
	Judicial Branch	281	313	290
	Department of Agriculture	269	292	282
	Department of Commerce	641	529	386
	Department of Defense--Military Programs	126,875	137,677	134,489
	Department of Education	5	3	4
	Department of Energy	962	1,072	989
	Department of Health and Human Services	383	375	364
	Department of Homeland Security	3,212	3,209	2,887
	Department of Housing and Urban Development	25	17	16
	Department of the Interior	280	313	311
	Department of Justice	943	895	1,024
	Department of Labor	54	53	41
	Department of State	226	274	154
	Department of Transportation	305	344	305
	Department of the Treasury	428	325	513
	Department of Veterans Affairs	2,139	3,089	1,994
	Corps of Engineers--Civil Works	39	34	42
	Other Defense Civil Programs	4	2	1
	Environmental Protection Agency	33	34	26
	Executive Office of the President	7	7	6
	General Services Administration	2	5	3
	International Assistance Programs	201	201	193
	National Aeronautics and Space Administration	209	225	256
	National Science Foundation	6	5	2
	Office of Personnel Management	8	1	0
	Small Business Administration	1	1	1
	Social Security Administration	194	184	183
	Export-Import Bank of the United States	6	4	4
	Federal Deposit Insurance Corporation	24	34	35
	Postal Service	10	4	4
	Railroad Retirement Board	1	5	4
	Other Independent Agencies	264	246	247
	Direct Total	138,203	149,927	145,234
	Reimbursable			
	Reimbursable obligations	12,379	18,353	16,149
	Reimbursable Total	12,379	18,353	16,149
	Equipment Total	150,582	168,280	161,383

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
32.0	Land and structures			
	Direct			
	Legislative Branch	248	122	131
	Judicial Branch	46	61	53
	Department of Agriculture	371	934	435
	Department of Commerce	76	209	294
	Department of Defense--Military Programs	19,567	29,192	17,801
	Department of Education	7	5	12
	Department of Energy	4,269	4,639	4,378
	Department of Health and Human Services	335	423	253
	Department of Homeland Security	2,327	2,929	2,962
	Department of Housing and Urban Development	19	29	29
	Department of the Interior	387	406	392
	Department of Justice	147	547	174
	Department of Labor	5	41	94
	Department of State	637	1,070	949
	Department of Transportation	221	346	227
	Department of the Treasury	49	62	80
	Department of Veterans Affairs	3,957	4,166	4,303
	Corps of Engineers--Civil Works	4,483	3,847	4,388
	Other Defense Civil Programs	50	50	37
	Environmental Protection Agency	25	35	31
	Executive Office of the President	4	0	3
	General Services Administration	30	0	0
	International Assistance Programs	232	197	193
	National Aeronautics and Space Administration	620	621	891
	National Science Foundation	103	98	90
	Social Security Administration	81	75	80
	Federal Deposit Insurance Corporation	9	14	15
	Other Independent Agencies	339	301	315
	Direct Total	38,644	50,419	38,610
	Reimbursable			
	Reimbursable obligations	14,909	13,701	14,618
	Reimbursable Total	14,909	13,701	14,618
	Land and structures Total	53,553	64,120	53,228

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
33.0	Investments and loans			
	Direct			
	Legislative Branch	5	5	5
	Department of Agriculture	7,616	10,099	10,311
	Department of Defense--Military Programs	9,319	0	0
	Department of Education	13	6	5
	Department of Health and Human Services	0	2	0
	Department of Homeland Security	37	126	35
	Department of Housing and Urban Development	20	17	17
	Department of State	18	13	13
	Department of Transportation	126	113	0
	Department of Veterans Affairs	8	10	9
	International Assistance Programs	1,528	1,701	1,485
	Small Business Administration	1	2	1
	Direct Total	18,691	12,094	11,881
	Reimbursable			
	Reimbursable obligations	41,142	42,927	43,104
	Reimbursable Total	41,142	42,927	43,104
	Investments and loans Total	59,833	55,021	54,985

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
40	GRANTS AND FIXED CHARGES			
	Direct			
	Legislative Branch	15	15	15
	Judicial Branch	525	569	607
	Department of Agriculture	134,403	148,304	112,635
	Department of Commerce	2,101	2,263	737
	Department of Defense--Military Programs	4,127	3,626	3,414
	Department of Education	124,273	178,961	89,807
	Department of Energy	2,197	2,673	1,397
	Department of Health and Human Services	1,750,412	1,902,858	1,985,500
	Department of Homeland Security	12,792	16,215	7,063
	Department of Housing and Urban Development	60,282	72,019	63,187
	Department of the Interior	7,882	8,279	7,630
	Department of Justice	7,885	8,424	7,800
	Department of Labor	37,649	38,196	40,178
	Department of State	17,116	18,510	13,627
	Department of Transportation	69,247	76,485	76,437
	Department of the Treasury	752,636	747,808	737,915
	Department of Veterans Affairs	119,932	129,993	138,333
	Corps of Engineers--Civil Works	5	0	0
	Other Defense Civil Programs	60,914	63,323	65,045
	Environmental Protection Agency	4,444	4,919	3,469
	General Services Administration	0	0	95,418
	International Assistance Programs	21,438	22,277	23,636
	National Aeronautics and Space Administration	1,164	1,266	1,145
	National Science Foundation	7,280	7,581	6,929
	Office of Personnel Management	88,960	92,051	0
	Small Business Administration	623	612	256
	Social Security Administration	1,091,149	1,146,801	1,207,468
	Export-Import Bank of the United States	522	78	0
	Federal Deposit Insurance Corporation	206	2,087	10,961
	Postal Service	55	57	55
	Railroad Retirement Board	13,614	13,754	14,355
	Other Independent Agencies	20,248	15,735	10,678
	Direct Total	4,414,096	4,725,739	4,725,697
	Reimbursable			
	Reimbursable obligations	25,479	32,106	29,578
	Reimbursable Total	25,479	32,106	29,578
	GRANTS AND FIXED CHARGES Total	4,439,575	4,757,845	4,755,275

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
41.0	Grants, subsidies, and contributions			
	Direct			
	Legislative Branch	14	14	14
	Judicial Branch	162	175	184
	Department of Agriculture	126,344	144,393	106,717
	Department of Commerce	2,093	2,254	737
	Department of Defense--Military Programs	3,909	3,396	3,178
	Department of Education	116,700	171,196	82,660
	Department of Energy	2,189	2,672	1,396
	Department of Health and Human Services	969,143	1,062,644	1,106,768
	Department of Homeland Security	12,385	15,731	5,610
	Department of Housing and Urban Development	59,793	71,757	63,186
	Department of the Interior	7,724	8,108	7,459
	Department of Justice	5,406	4,763	4,578
	Department of Labor	8,351	8,738	7,968
	Department of State	15,655	17,047	12,145
	Department of Transportation	69,215	76,477	76,436
	Department of the Treasury	166,347	156,147	146,581
	Department of Veterans Affairs	16,157	17,133	17,458
	Corps of Engineers--Civil Works	5	0	0
	Environmental Protection Agency	4,443	4,918	3,468
	International Assistance Programs	21,415	22,274	23,634
	National Aeronautics and Space Administration	1,164	1,266	1,145
	National Science Foundation	7,280	7,581	6,929
	Small Business Administration	623	612	256
	Social Security Administration	55,786	56,693	56,917
	Export-Import Bank of the United States	522	78	0
	Postal Service	55	57	55
	Railroad Retirement Board	17	16	13
	Other Independent Agencies	19,388	13,203	9,379
	Direct Total	1,692,285	1,869,343	1,744,871
	Reimbursable			
	Reimbursable obligations	7,566	7,502	6,810
	Reimbursable Total	7,566	7,502	6,810
	Grants, subsidies, and contributions Total	1,699,851	1,876,845	1,751,681

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
42.0	Insurance claims and indemnities			
	Direct			
	Judicial Branch	363	394	423
	Department of Agriculture	8,040	3,900	5,909
	Department of Commerce	8	9	0
	Department of Defense--Military Programs	186	218	223
	Department of Education	7,571	7,763	7,145
	Department of Health and Human Services	781,269	840,214	878,732
	Department of Homeland Security	332	412	1,413
	Department of Housing and Urban Development	0	2	1
	Department of the Interior	158	171	171
	Department of Justice	2,479	3,651	3,221
	Department of Labor	29,232	29,380	32,119
	Department of State	1,461	1,463	1,482
	Department of Transportation	2	1	1
	Department of the Treasury	1,708	1,734	1,794
	Department of Veterans Affairs	102,184	112,805	120,826
	Other Defense Civil Programs	60,914	63,323	65,045
	Environmental Protection Agency	1	1	1
	General Services Administration	0	0	95,066
	International Assistance Programs	23	3	2
	Office of Personnel Management	88,587	91,685	0
	Social Security Administration	1,035,363	1,090,108	1,150,551
	Federal Deposit Insurance Corporation	206	340	6,740
	Railroad Retirement Board	13,597	13,738	14,342
	Other Independent Agencies	858	2,532	1,299
	Direct Total	2,134,542	2,263,847	2,386,506
	Reimbursable			
	Reimbursable obligations	14,437	20,891	17,953
	Reimbursable Total	14,437	20,891	17,953
	Insurance claims and indemnities Total	2,148,979	2,284,738	2,404,459

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
43.0	Interest and dividends			
	Direct			
	Department of Agriculture	19	11	9
	Department of Defense--Military Programs	32	11	12
	Department of Education	2	2	2
	Department of Housing and Urban Development	489	260	0
	Department of Labor	66	78	91
	Department of Transportation	30	7	0
	Department of the Treasury	584,488	589,783	589,393
	Department of Veterans Affairs	63	55	49
	Federal Deposit Insurance Corporation	0	1,747	4,221
	Other Independent Agencies	2	0	0
	Direct Total	585,191	591,954	593,777
	Reimbursable			
	Reimbursable obligations	3,236	3,677	4,783
	Reimbursable Total	3,236	3,677	4,783
	Interest and dividends Total	588,427	595,631	598,560

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

		Object Class	2019 actual	2020 estimate	2021 estimate
44.0	Refunds				
		Direct			
		Legislative Branch	1	1	1
		Department of Defense--Military Programs	0	1	1
		Department of Energy	8	1	1
		Department of Homeland Security	75	72	40
		Department of Justice	0	10	1
		Department of the Treasury	93	144	147
		Department of Veterans Affairs	1,528	0	0
		General Services Administration	0	0	352
		Office of Personnel Management	373	366	0
		Direct Total	2,078	595	543
		Reimbursable			
		Reimbursable obligations	240	36	32
		Reimbursable Total	240	36	32
		Refunds Total	2,318	631	575

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

		Object Class	2019 actual	2020 estimate	2021 estimate
90	OTHER				
		Direct			
		Legislative Branch	6	6	6
		Judicial Branch	520	497	531
		Department of Agriculture	2,038	1,901	2,062
		Department of Commerce	3	48	22
		Department of Health and Human Services	11,482	5,766	5,537
		Department of Homeland Security	48	48	48
		Department of the Interior	70	66	73
		Department of Labor	3,623	3,672	3,785
		Department of Transportation	10,371	10,955	11,024
		Department of the Treasury	836	288	292
		Corps of Engineers--Civil Works	2,112	1,115	0
		Other Defense Civil Programs	22	22	22
		Environmental Protection Agency	1,084	1,076	952
		Executive Office of the President	40	15	15
		General Services Administration	0	30	325
		International Assistance Programs	0	30	250
		Social Security Administration	42,376	45,516	48,885
		Railroad Retirement Board	2,341	2,379	1,703
		Other Independent Agencies	1,223	398	52
		Allowances	0	364	-7,136
		Direct Total	78,195	74,192	68,448
		Reimbursable			
		Reimbursable obligations	16	15	15
		Reimbursable Total	16	15	15
		Adjustment for rounding			
		Adjustment for rounding	125	88	89
		Adjustment for rounding Total	125	88	89
		OTHER Total	78,336	74,295	68,552

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	<i>2019 actual</i>	<i>2020 estimate</i>	<i>2021 estimate</i>
91.0	Unvouchered			
	Direct			
	Department of Homeland Security	3	3	3
	Department of the Treasury	96	130	134
	Direct Total	99	133	137
	Reimbursable			
	Reimbursable obligations	12	13	13
	Reimbursable Total	12	13	13
	Unvouchered Total	111	146	150

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	<i>2019 actual</i>	<i>2020 estimate</i>	<i>2021 estimate</i>
92.0	Undistributed			
	Direct			
	Department of Health and Human Services	0	-31	-210
	Allowances	0	364	-7,136
	Direct Total	0	333	-7,346
	Undistributed Total	0	333	-7,346

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
94.0	Financial transfers			
	Direct			
	Legislative Branch	6	6	6
	Judicial Branch	520	497	531
	Department of Agriculture	2,038	1,901	2,062
	Department of Commerce	3	48	22
	Department of Health and Human Services	11,482	5,797	5,747
	Department of Homeland Security	45	45	45
	Department of the Interior	70	66	73
	Department of Labor	3,623	3,672	3,785
	Department of Transportation	10,371	10,955	11,024
	Department of the Treasury	740	158	158
	Corps of Engineers--Civil Works	2,112	1,115	0
	Other Defense Civil Programs	22	22	22
	Environmental Protection Agency	1,084	1,076	952
	Executive Office of the President	40	15	15
	General Services Administration	0	30	325
	International Assistance Programs	0	30	250
	Social Security Administration	42,376	45,516	48,885
	Railroad Retirement Board	2,341	2,379	1,703
	Other Independent Agencies	1,223	398	52
	Direct Total	78,096	73,726	75,657
	Reimbursable			
	Reimbursable obligations	4	2	2
	Reimbursable Total	4	2	2
	Financial transfers Total	78,100	73,728	75,659

Table 2 -- OBLIGATIONS BY OBJECT CLASS AND AGENCY
 Object Class - Presidential Budget, FY 2021 Budget (in millions of dollars)

	Object Class	2019 actual	2020 estimate	2021 estimate
99.5	Adjustment for rounding			
	Adjustment for rounding			
	Adjustment for rounding	125	88	89
	Adjustment for rounding Total	125	88	89
	Adjustment for rounding Total	125	88	89

OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C.



BUDGET OF THE U.S. GOVERNMENT

EXHIBIT D

From: MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>
Sent: Friday, June 12, 2020 9:08 AM
To: Irene Lee; Karl Olson
Cc: Kristel Gelera; LC
Subject: RE: OMB FOIA Request 2020-319

Hello Ms. Lee,

Thank you for your follow-up inquiry. We appreciate you writing to us for clarification. To recap, your FOIA request sought “[a]ny and all documents indicating or containing the total federal acquisition budget for FY 2017, FY 2018, and FY 2019.” We responded that OMB has no responsive records because there is not a “total federal acquisition budget” in any of the fiscal years you requested. To assist you, we shared a link to a table in the President’s recent budget that may be helpful. This table should be publicly available for each of the fiscal years above. While the direct link we provided was to the most recent President’s Budget, the actual budget information you are requesting can be found by referencing this same table for prior years. This may require you to review the President’s Budget proposals for prior years as well. To reiterate, however, with regard to the specific information you sought in your FOIA request, there is not a separate federal budget for acquisition. If you are seeking total dollars obligated on federal contracts, this information is available publicly on USAspending.gov or the Federal Procurement Data System.

We hope this additional information is helpful. Please let us know if you have any further questions.

Sincerely,
Dionne Hardy

From: Irene Lee <ILee@cofolaw.com>
Sent: Thursday, June 11, 2020 2:06 PM
To: MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>; Karl Olson <kolson@cofolaw.com>
Cc: Kristel Gelera <kgelera@cofolaw.com>; LC <lc@asbl.com>
Subject: [EXTERNAL] Re: OMB FOIA Request 2020-319

Dear Ms. Hardy,

I am writing to note that the Office of Management and Budget’s (OMB) final response did not address the records sought for Fiscal Years (FY) 2017 and FY 2018, as indicated in our original request. The document itself is not fully responsive to records sought for FY 2019. The document referenced in the OMB’s response states the proposed budgets for FY 2020 and FY 2021, neither of which pertain to the actual budgets that we had previously requested. Please provide any and all records that are responsive to this request.

If you are unable to provide the records requested, please provide us the contact information to file an administrative appeal.

Sincerely,
Irene Lee

Irene Lee
Attorney at Law



100 Pine Street, Suite 350
San Francisco, California 94111
Telephone: 415.409.8900
Direct Dial: 415.398.1067
Fax: 415.409.8904

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IMPORTANT NOTICE: Our offices are temporarily closed in compliance with public health directives and/or recommendations for the San Francisco Bay Area. All of our attorneys and paralegals are working remotely. Please contact me or our office manager, Jessica Toscano (jtoscano@cofolaw.com), if you have questions or concerns.

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If this communication relates to a debt, *THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED AS A RESULT OF OR IN CONNECTION WITH THIS COMMUNICATION WILL BE USED FOR THAT PURPOSE.*

From: MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>
Date: Wednesday, June 10, 2020 at 7:20 AM
To: Karl Olson <kolson@cofolaw.com>, Irene Lee <ILee@cofolaw.com>
Cc: Kristel Gelera <kgelera@cofolaw.com>, LC <lc@asbl.com>
Subject: RE: OMB FOIA Request 2020-319

Good Morning Mr. Olson and Ms. Lee: For record keeping of Fiscal Year 2020, we have closed 2020-319. If you wish to submit a new FOIA request or Appeal our response to you, please submit at this email address.

Thank you and Make it a Great Day,
Dionne Hardy

From: Karl Olson <kolson@cofolaw.com>
Sent: Wednesday, June 10, 2020 1:12 AM
To: Irene Lee <ILee@cofolaw.com>; MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>
Cc: Kristel Gelera <kgelera@cofolaw.com>; LC <lc@asbl.com>
Subject: [EXTERNAL] RE: OMB FOIA Request 2020-319

We would add that we find it impossible to believe that there are no documents showing the total federal acquisition budget, and we demand such documents. Ms. Hardy, do you expect us or the public to believe that the government spends trillions of dollars and there is no document showing the total federal acquisition budget?

Karl Olson

Attorney at Law



100 Pine Street, Suite 350
San Francisco, California 94111
Tel: 415.409.8900 Fax: 415.409.8904

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From: Irene Lee <ILee@cofolaw.com>

Sent: Tuesday, June 09, 2020 5:37 PM

To: MBX.OMB.FOIA@OMB.eop.gov

Cc: Karl Olson <kolson@cofolaw.com>; Kristel Gelera <kgelera@cofolaw.com>

Subject: OMB FOIA Request 2020-319

Dear Ms. Hardy,

We are writing in response to the Office of Management and Budget's letter of June 9, 2020 regarding Freedom of Information Act request number 2020-319. To clarify our prior request, we are seeking any and all documents indicating the acquisition budget for the Department of Defense (DOD) for Fiscal Year (FY) 2017, FY 2018, and FY 2019, as well as any and all documents indicating the percentage of the DOD's acquisition budget which goes to small businesses.

Please do not hesitate to contact me should there be any questions or concerns.

Sincerely,
Irene Lee

Irene Lee

Attorney at Law



100 Pine Street, Suite 350
San Francisco, California 94111

Telephone: 415.409.8900

Direct Dial: 415.398.1067

Fax: 415.409.8904

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EXHIBIT E



Irene Lee
ilee@cofolaw.com

June 19, 2020

By Email

Dionne Hardy
FOIA Officer
U.S. Office of Management and Budget
725 17th Street NW, Suite 9204
Washington D.C., 20503

Re: FOIA Request No. 2020-319

Dear Ms. Hardy:

I am writing in response to your email of June 12, 2020 regarding Freedom of Information Act (FOIA) Request No. 2020-319, filed by my client the American Small Business League. The response suggested that we review the President's budgets for prior years, specifically the appendix titled "Object Class Analysis," to determine the total federal acquisition budget for each year. The response also suggested that if we are seeking the total dollars obligated on contracts, we should review the data available on USAspending.gov or the Federal Procurement Data System. We have examined all referenced sources and none of them are responsive to our original request.

Your response initially suggested that we review the President's budget proposals for prior years to seek information referenced in the table titled "Object Class Analysis." The tables for FY 2017, FY 2018, and FY 2019 do indicate the "acquisition of capital assets" for all branches; however, we do not believe that this is what we are seeking because the numbers are too low. For example, the actual budget for the acquisition of capital assets of all government branches for FY 2017 is \$171,654,000,000. This number is simply too low, considering what we already know about federal government spending.

As for the two other websites provided, it is nearly impossible to determine the total federal acquisition budget from the data provided. On USAspending.gov, there are approximately 26,000 results related to spending or acquisition between FY 2017 and FY 2019. These results are all organized by recipient, and must all be added together in order to calculate the total federal acquisition budget. There is no reasonable method for a person to do so. The

Ms. Hardy
Page 2
June 19, 2020

same applies to the Federal Procurement Data System, which lists approximately 10 million results, all listed by contract, for the time period at issue. Again, no person could reasonably be expected to determine the total acquisition budget from such an extensive amount of data.

To reiterate from our previous correspondence, we find it impossible to believe that there are no documents indicating the total federal acquisition budget. We find this even more unlikely considering that the federal government spends trillions of dollars per year to fund its programs. We demand that the OMB produce such records promptly.

Please contact me should you have any questions or concerns.

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP

A handwritten signature in cursive script, appearing to read 'Irene Lee', written in black ink.

IRENE LEE

IL:hs

cc: Karl Olson
Kristel Gelera

EXHIBIT F



Irene Lee
ilee@cofolaw.com

July 17, 2020

By Email

Dionne Hardy, FOIA Officer
Office of Management and Budget
725 17th Street NW, Suite 9204
Washington, D.C. 20503
OMBFOIA@omb.eop.gov

Re: Freedom of Information Act Appeal – Request No. 2020-319

Dear Ms. Hardy:

This is an appeal of the United States Office of Management and Budget's ("OMB") determination of my client's, the American Small Business League ("ASBL"), Freedom of Information Act ("FOIA") request number 2020-319. ASBL specifically appeals the OMB's determination on the grounds that there are responsive documents and that the OMB is unlawfully withholding these documents.

On April 7, 2020, ASBL filed a FOIA request for "[a]ny and all documents indicating or containing the total federal acquisition budget for [Fiscal Year ("FY")] 2017, FY 2018, and FY 2019." A copy of ASBL's FOIA request dated April 7, 2020 is attached to this appeal as **Exhibit A**.

On June 9, 2020, the OMB responded to ASBL's request stating that there is "no specific total Federal acquisition budget each year," and, as such, there are no records responsive to the request. In the same response, the OMB suggested that ASBL review the President's Budget for information on object class analysis, and noted that the tabled summary includes several object classes associated with acquisition and contracting. A copy of the OMB's response dated June 9, 2020 is attached to this appeal as **Exhibit B**.

On June 11, 2020, ASBL responded to the OMB's determination to inform the agency that it had only addressed records for FY 2019, and had not responded to records for FY 2017 and FY 2018. ASBL also noted that the document referenced in the OMB's response was itself

Ms. Hardy
Page 2
July 17, 2020

not fully responsive to ASBL's request. On June 12, 2020, the OMB responded to ASBL's inquiry stating that ASBL could find "actual budget information" for the years requested by referencing the same table for prior years. The OMB also reiterated its prior determination that there is no separate federal budget for acquisition, and suggested that ASBL search for information on USAspending.gov or the Federal Procurement Data System for total dollars obligated on federal contracts. A copy of the OMB's email correspondence dated June 12, 2020 is attached to this appeal as **Exhibit C**.

On June 19, 2020, ASBL wrote a letter in response to the OMB's correspondence addressing two issues: First, while the tables in the "Object Class Analysis" document did reference the "acquisition of capital assets" for all classes and all federal branches during FY 2017 to FY 2019, these numbers are too low considering what the public already knows about federal government spending and cannot be responsive to ASBL's FOIA request; Second, no reasonable person could find the records requested through USAspending.gov or the Federal Procurement Data System because the number of results related to spending and acquisition are too numerous to add together. A copy of ASBL's correspondence of June 19, 2020 is attached to this appeal as **Exhibit D**.

ASBL has not received a response to its June 19, 2020 correspondence from the OMB and now makes a formal appeal of the OMB's determination. ASBL requests that the OMB reverse its denial of ASBL's FOIA request because it is highly unlikely that the federal government does not have records of its total acquisition budget, given that the federal government spends trillions of dollars per year. In fact, the federal government reported that it had spent \$4.45 trillion in FY 2019. *See* USAspending.gov., <https://www.usaspending.gov/#/> (last visited Jul. 16, 2020). ASBL finds it impossible that the federal government would have extensive records of its total spending, yet not have any record of its total acquisition budget. ASBL also finds it impossible that the federal government would have numerous records of money obligated on federal contracts, yet have no record of the total federal acquisition budget.

For the foregoing reasons, the OMB should reverse its denial of ASBL's FOIA request and provide the records, as requested. If there are any questions or concerns regarding this appeal, please do not hesitate to contact me.

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP



IRENE LEE

IL:hs

Ms. Hardy
Page 3
July 17, 2020

Attachments:

- Exhibit A – ASBL’s FOIA request dated April 7, 2020
- Exhibit B – OMB’s response dated June 9, 2020
- Exhibit C – OMB’s email correspondence dated June 12, 2020
- Exhibit D – ASBL’s correspondence of June 19, 2020

Cc: Karl Olson
Aaron R. Field
Kristel Gelera

EXHIBIT A



Karl Olson
kolson@cofolaw.com

April 7, 2020

By Email

Dionne Hardy
FOIA Officer
Office of Management and Budget
725 17th Street NW, Suite 9204
Washington, D.C. 20503

Re: Freedom of Information Act Request

Dear Ms. Hardy:

I am writing on behalf of my client, the American Small Business League, to request, pursuant to the Freedom of Information Act, the following data and records:

- Any and all documents indicating or containing the total federal acquisition budget for FY 2017, FY 2018, and FY 2019

We request that fees associated with this request be waived, or otherwise reduced, because the information will be used for educational purposes. Fees should also be waived because disclosure of the requested information is in the public interest. The information contributes significantly to the public understanding of the operations and activities of the Office of Management and Budget, and primarily promotes my client's noncommercial interests, in accordance with 5 U.S.C. § 552(a)(4)(A)(iii).

Please do not hesitate to contact me if there are any questions or concerns.

Ms. Hardy
Page 2
April 7, 2020

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP

A handwritten signature in blue ink, appearing to read 'Karl Olson', with a stylized flourish at the end.

KARL OLSON

KO:hs

EXHIBIT B



OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D. C. 20503

June 9, 2020

Karl Olson
Cannata, O'Toole, Fickes & Olson LLP
Sent via email: kolson@cofolaw.com

Dear Mr. Olson:

This letter responds to your Freedom of Information Act (FOIA) request to the Office of Management and Budget (OMB) dated and received in this office on April 7, 2020 and assigned tracking number 2020-319. Your request seeks documents indicating or containing the total federal acquisition budget for fiscal years 2017, 2018 and 2019.

Please be advised that while a FOIA request can be made for any agency record, the FOIA statute does not require an agency to create new records or to conduct research, analyze data or answer questions. In response to your FOIA request, OMB notes that there is no specific total Federal acquisition budget each year. Therefore, OMB has no records responsive to your FOIA request. We recommend you review the President's Budget, a public document, which contains information on object class analysis. For example, the table from the Fiscal Year 2021 President's Budget can be found at the following link: https://www.whitehouse.gov/wp-content/uploads/2020/02/objclass_fy21.pdf. The summary includes several object classes associated with acquisition and contracting.

You may contact the FOIA Requester Service Center at 202-395-FOIA, as well as OMB's FOIA Public Liaison at 202-395-7545 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may administratively appeal by writing to OMB. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this response.

Sincerely,



Dionne Hardy
FOIA Officer

EXHIBIT C

Kristel Gelera

From: MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>
Sent: Friday, June 12, 2020 9:08 AM
To: Irene Lee; Karl Olson
Cc: Kristel Gelera; LC
Subject: RE: OMB FOIA Request 2020-319

Hello Ms. Lee,

Thank you for your follow-up inquiry. We appreciate you writing to us for clarification. To recap, your FOIA request sought “[a]ny and all documents indicating or containing the total federal acquisition budget for FY 2017, FY 2018, and FY 2019.” We responded that OMB has no responsive records because there is not a “total federal acquisition budget” in any of the fiscal years you requested. To assist you, we shared a link to a table in the President’s recent budget that may be helpful. This table should be publicly available for each of the fiscal years above. While the direct link we provided was to the most recent President’s Budget, the actual budget information you are requesting can be found by referencing this same table for prior years. This may require you to review the President’s Budget proposals for prior years as well. To reiterate, however, with regard to the specific information you sought in your FOIA request, there is not a separate federal budget for acquisition. If you are seeking total dollars obligated on federal contracts, this information is available publicly on USAspending.gov or the Federal Procurement Data System.

We hope this additional information is helpful. Please let us know if you have any further questions.

Sincerely,
Dionne Hardy

From: Irene Lee <ILee@cofolaw.com>
Sent: Thursday, June 11, 2020 2:06 PM
To: MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>; Karl Olson <kolson@cofolaw.com>
Cc: Kristel Gelera <kgelera@cofolaw.com>; LC <lc@asbl.com>
Subject: [EXTERNAL] Re: OMB FOIA Request 2020-319

Dear Ms. Hardy,

I am writing to note that the Office of Management and Budget’s (OMB) final response did not address the records sought for Fiscal Years (FY) 2017 and FY 2018, as indicated in our original request. The document itself is not fully responsive to records sought for FY 2019. The document referenced in the OMB’s response states the proposed budgets for FY 2020 and FY 2021, neither of which pertain to the actual budgets that we had previously requested. Please provide any and all records that are responsive to this request.

If you are unable to provide the records requested, please provide us the contact information to file an administrative appeal.

Sincerely,
Irene Lee

Irene Lee
Attorney at Law



100 Pine Street, Suite 350
San Francisco, California 94111
Telephone: 415.409.8900
Direct Dial: 415.398.1067
Fax: 415.409.8904

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From: MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>
Date: Wednesday, June 10, 2020 at 7:20 AM
To: Karl Olson <kolson@cofolaw.com>, Irene Lee <ILee@cofolaw.com>
Cc: Kristel Gelera <kgelera@cofolaw.com>, LC <lc@asbl.com>
Subject: RE: OMB FOIA Request 2020-319

Good Morning Mr. Olson and Ms. Lee: For record keeping of Fiscal Year 2020, we have closed 2020-319. If you wish to submit a new FOIA request or Appeal our response to you, please submit at this email address.

Thank you and Make it a Great Day,
Dionne Hardy

From: Karl Olson <kolson@cofolaw.com>
Sent: Wednesday, June 10, 2020 1:12 AM
To: Irene Lee <ILee@cofolaw.com>; MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>
Cc: Kristel Gelera <kgelera@cofolaw.com>; LC <lc@asbl.com>
Subject: [EXTERNAL] RE: OMB FOIA Request 2020-319

We would add that we find it impossible to believe that there are no documents showing the total federal acquisition budget, and we demand such documents. Ms. Hardy, do you expect us or the public to believe that the government spends trillions of dollars and there is no document showing the total federal acquisition budget?

Karl Olson

Attorney at Law



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From: Irene Lee <ILee@cofolaw.com>

Sent: Tuesday, June 09, 2020 5:37 PM

To: MBX.OMB.FOIA@OMB.eop.gov

Cc: Karl Olson <kolson@cofolaw.com>; Kristel Gelera <kgelera@cofolaw.com>

Subject: OMB FOIA Request 2020-319

Dear Ms. Hardy,

We are writing in response to the Office of Management and Budget's letter of June 9, 2020 regarding Freedom of Information Act request number 2020-319. To clarify our prior request, we are seeking any and all documents indicating the acquisition budget for the Department of Defense (DOD) for Fiscal Year (FY) 2017, FY 2018, and FY 2019, as well as any and all documents indicating the percentage of the DOD's acquisition budget which goes to small businesses.

Please do not hesitate to contact me should there be any questions or concerns.

Sincerely,
Irene Lee

Irene Lee

Attorney at Law



100 Pine Street, Suite 350
San Francisco, California 94111

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EXHIBIT D



Irene Lee
ilee@cofolaw.com

June 19, 2020

By Email

Dionne Hardy
FOIA Officer
U.S. Office of Management and Budget
725 17th Street NW, Suite 9204
Washington D.C., 20503

Re: FOIA Request No. 2020-319

Dear Ms. Hardy:

I am writing in response to your email of June 12, 2020 regarding Freedom of Information Act (FOIA) Request No. 2020-319, filed by my client the American Small Business League. The response suggested that we review the President's budgets for prior years, specifically the appendix titled "Object Class Analysis," to determine the total federal acquisition budget for each year. The response also suggested that if we are seeking the total dollars obligated on contracts, we should review the data available on USAspending.gov or the Federal Procurement Data System. We have examined all referenced sources and none of them are responsive to our original request.

Your response initially suggested that we review the President's budget proposals for prior years to seek information referenced in the table titled "Object Class Analysis." The tables for FY 2017, FY 2018, and FY 2019 do indicate the "acquisition of capital assets" for all branches; however, we do not believe that this is what we are seeking because the numbers are too low. For example, the actual budget for the acquisition of capital assets of all government branches for FY 2017 is \$171,654,000,000. This number is simply too low, considering what we already know about federal government spending.

As for the two other websites provided, it is nearly impossible to determine the total federal acquisition budget from the data provided. On USAspending.gov, there are approximately 26,000 results related to spending or acquisition between FY 2017 and FY 2019. These results are all organized by recipient, and must all be added together in order to calculate the total federal acquisition budget. There is no reasonable method for a person to do so. The

Ms. Hardy
Page 2
June 19, 2020

same applies to the Federal Procurement Data System, which lists approximately 10 million results, all listed by contract, for the time period at issue. Again, no person could reasonably be expected to determine the total acquisition budget from such an extensive amount of data.

To reiterate from our previous correspondence, we find it impossible to believe that there are no documents indicating the total federal acquisition budget. We find this even more unlikely considering that the federal government spends trillions of dollars per year to fund its programs. We demand that the OMB produce such records promptly.

Please contact me should you have any questions or concerns.

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP

A handwritten signature in cursive script, appearing to read 'Irene Lee'.

IRENE LEE

IL:hs

cc: Karl Olson
Kristel Gelera

EXHIBIT G

From: MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>
Sent: Friday, July 17, 2020 3:29 PM
To: Irene Lee
Cc: Karl Olson; Aaron R. Field; Kristel Gelera
Subject: RE: Freedom of Information Act Appeal - 2020-319

Good Evening: This email acknowledges receipt of your Freedom of Information Act (FOIA) appeal to the Office of Management and Budget (OMB) dated and received in this office on July 17, 2020. Your appeal has been logged in and is being processed. For your reference, the OMB FOIA number is 2020-454.

Thank you,
Dionne Hardy

From: Irene Lee <ILee@cofolaw.com>
Sent: Friday, July 17, 2020 12:13 PM
To: MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>
Cc: Karl Olson <kolson@cofolaw.com>; Aaron R. Field <afield@cofolaw.com>; Kristel Gelera <kgelera@cofolaw.com>
Subject: [EXTERNAL] Freedom of Information Act Appeal - 2020-319

Dear Ms. Hardy,

Please find attached the American Small Business League's appeal of the Office of Management and Budget's determination of Freedom of Information Act request number 2020-319.

Best regards,
Irene Lee

Irene Lee
Attorney at Law



100 Pine Street, Suite 350
San Francisco, California 94111
Telephone: 415.409.8900
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EXHIBIT H



Karl Olson
kolson@cofolaw.com

April 9, 2020

By E-Mail

Delorice Price Ford
Chief, Freedom of Information/Privacy Acts Office
U.S. Small Business Administration
409 Third St., 8th Floor
Washington, D.C. 20416

Re: Freedom of Information Act Request

Dear Ms. Ford:

I am writing on behalf of my client, the American Small Business League, to request, pursuant to the Freedom of Information Act, the following data and records:

- All documents indicating the names and salaries of each current employee of the Small Business Administration's (SBA) Press Office
- All documents indicating, concerning, or referring to all outbound calls made by every employee of the SBA's Press Office between June 1, 2019 and March 31, 2020
- All records of communications (written, oral, and electronic) indicating, concerning, or referring to outbound calls made by every employee of the SBA's Press Office between June 1, 2019 and March 31, 2020
- All documents indicating, concerning, or referring to any and all inbound and outbound calls for Terry Sutherland between June 1, 2019 and March 31, 2020
- All records of communications (written, oral, and electronic) indicating, concerning, or referring to any and all inbound and outbound calls for Terry Sutherland between June 1, 2019 and March 31, 2020

We request that fees associated with this request be waived, or otherwise reduced, because the information will be used for educational purposes. Fees should also be waived

Ms. Ford
Page 2
April 9, 2020

because disclosure of the requested information is in the public interest. The information contributes significantly to the public understanding of the operations and activities of the SBA, and primarily promotes my client's noncommercial interests, in accordance with 5 U.S.C. § 552(a)(4)(A)(iii).

Please do not hesitate to contact me if there are any questions or concerns.

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP

A handwritten signature in blue ink, appearing to read 'K. Olson', with a horizontal line extending to the right.

KARL OLSON

KO:hs

EXHIBIT I



Office of Communications and Public Liaison | 409 3rd Street, SW | Washington, D.C. 20416

May 7, 2020

Karl Olson
100 Pine Street, Suite 350
San Francisco, CA 94111

(P) 415.409.8900
kolson@cofolaw.com

Re: April 9, 2020 ASBL FOIA Request - SBA-2020-000565

Dear Mr. Olson,

This is in response to your FOIA request dated April 9, 2020, on behalf of your client the American Small Business League, seeking data and records. Specifically, you requested:

- All documents indicating the names and salaries of each current employee of the Small Business Administration's (SBA) Press Office.
- All documents indicating, concerning, or referring to all outbound calls made by every employee of the SBA's Press Office between June 1, 2019 and March 31, 2020.
- All records of communications (written, oral, and electronic) indicating, concerning, or referring to outbound calls made by every employee of the SBA's Press Office between June 1, 2019 and March 31, 2020.
- All documents indicating, concerning, or referring to any and all inbound and outbound calls for Terry Sutherland between June 1, 2019 and March 31, 2020
- All records of communications (written, oral, and electronic) indicating, concerning, or referring to any and all inbound and outbound calls for Terry Sutherland between June 1, 2019 and March 31, 2020

A follow-up conversation was held between SBA Senior Legal Counsel David Fishman and yourself on April 23, 2020 where you further defined the FOIA request:

“My client would like to obtain phone records for the time period in question from the individuals in SBA’s press office, including Mr. Sutherland. We would also like Mr. Sutherland’s email records to be searched and produced for the time period set forth in ASBL’s FOIA requests, since he is the head of the office (the search should also include any records from any personal electronic device he uses to conduct public business).

In addition to the search for all of Mr. Sutherland’s emails for the time period set forth in the FOIA request, ASBL requests that a word search for all SBA press office employees be done using the following search terms: “New York Times,” “Washington Post,” “Fox News,” “USA Today,” “Los Angeles Times”, “San Francisco Chronicle,” “CNN,” “CBS News,” “PBS Newshour,” “MSNBC” and “big business.”

In addition, we would request that the following search terms be used as well: “Pandemic,” “Coronavirus,” “COVID-19,” “inspector general,” “paycheck protection program”, “glenn fine” and “President Trump.”

You requested that fees associated with this request be waived, or otherwise reduced because the information will be used for educational purposes. Fees should also be waived because disclosure of the requested information is in the public interest. The information contributes significantly to the public understanding of the operations and activities of the SBA, and primarily promotes my client’s noncommercial interests, in accordance with 5 U.S.C. § 552(a)(4)(A)(iii).

You have requested a fee waiver because the information will be used for educational purposes. To qualify for inclusion in the educational category, the request must serve a scholarly research goal of an educational institution. ASBL does not qualify under this category because it is not an institution of higher learning and vocational education.

You have also requested a fee waiver because disclosure of the information is in the public interest. To qualify for a public interest fee waiver, requesters must support the request in sufficient detail to establish that disclosure of the information sought is in the public interest and should address the following four factors:

1. The subject matter of the requested records themselves must specifically concern identifiable “operations or activities of the government”;
2. In order for the disclosure to “likely contribute” to an understanding of specific government operations or activities, the disclosable portions of the requested information must be meaningfully informative in relation to the subject matter of the request;

3. The disclosure must contribute to the “understanding of the public at large,” as opposed to that of the individual requester or a narrow segment of interested persons. With regard to this element, requesters should address with particularity and in detail the requester’s subject matter expertise and intentions, ability, and methods of disseminating information to the public; and
4. The disclosure must “contribute significantly” to public understanding of government operations or activities.

If the requester meets the above requirements, the agency should then determine whether the disclosure of the information is not primarily in the commercial interest of the requester. SBA finds that you have not submitted information sufficient to qualify for a public interest fee waiver because you have failed to address the four factors set forth above.

Before work can begin on your present request, fees must be determined. Fees are assessed per FOIA online at www.sba.gov/foia :

“Current SBA search and review processing fees are \$43 per hour for GS 14 and below and \$86 per hour for GS 15 and above. Duplication fees are 10 cents per page and computer searches are \$100 per hour. Please see [13 CFR 102.8](#) for more information regarding fees.”

In order to determine an estimate of the fees, SBA’s Office of Chief Information, did a preliminary search of the universe of emails responsive to your request. This initial search has identified approximately 46,230 emails for Mr. Sutherland during the period specified and 25,062 emails for the search terms of the Press Office employees for the period specified.

SBA estimates the initial costs of providing responsive non-privileged material to you at \$12,584 (computed at the GS-15 and above level). The estimate is based upon two hours of computer run time to identify the e-mails responsive to your request, which cost \$200.00. Additionally, it is estimated that it will take at least 18 days to review the more than 70,000 emails, determine appropriate releasable material, and redact the responsive material for privilege and exclusions. This is billed at a rate of \$86.00 per hour. As such, the total estimated cost for the requested material is \$12,584.00.

There would also be an additional cost to search and review the phone bills, which would be provided later and must be paid before receipt.

If you wish to amend or narrow your request to reduce costs, please provide specific parameters and search terms.

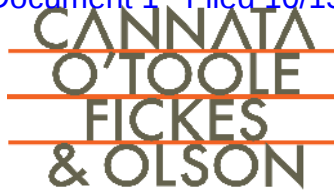
Should you determine that you do not wish to alter your request, please provide a check in the amount of \$12,584.00 made out to the U.S. Small Business Administration, Attention Mr. Terrence Sutherland, Deputy Associate Administrator, Office of Communications and Public Liaison, Small Business Administration, 409 Third Street, SW, Washington, DC 20416.

Sincerely,

Terrence P. Sutherland, OCPL Deputy AA

Terrence P. Sutherland
Deputy Associate Administrator (Operations)
Office of Communications and Public Liaison
U.S. Small Business Administration
409 Third Street, SW
Washington, DC 20416
202-205-6919

EXHIBIT J



May 12, 2020

Karl Olson
kolson@cofolaw.com

By Email

Terrence P. Sutherland
Deputy Associate Administrator (Operations)
OFFICE OF COMMUNICATIONS AND PUBLIC LIAISON
U.S. SMALL BUSINESS ADMINISTRATION
409 Third Street, SW
Washington, DC 20416
terrence.sutherland@sba.gov

Re: April 9, 2020 ASBL FOIA Request – SBA – 2020-000565

Dear Mr. Sutherland:

I am writing in response to your May 7, 2020 letter in which you take the position that my client the American Small Business League (“ASBL”) is not entitled to a fee waiver for the above FOIA request, and you then assert that the SBA can charge ASBL an outrageous and astounding \$12,584 to comply with ASBL’s FOIA request. For the reasons set forth below, SBA is mistaken and my client intends to institute litigation if SBA does not reconsider its position within 21 days of the date of this letter.

You set forth at the bottom of page 2 of your letter four factors to be considered in analyzing whether ASBL is entitled to a fee waiver. I would observe that these factors are similar to the factors a court considers in determining whether a prevailing plaintiff is entitled to recover attorney’s fees in FOIA litigation, and the courts have consistently held that ASBL is entitled to recover attorney’s fees in FOIA litigation. Indeed, just a few months ago, the Department of Defense paid ASBL \$500,000 in attorney’s fees to ASBL to settle a fee motion brought by ASBL in the case of *American Small Business League v. Department of Defense*, Case No. 3:18-cv-01979-WHA. Before that, the Department of Defense paid ASBL \$475,000 in attorney’s fees in another case after a hearing on the fee motion in *American Small Business League v. Department of Defense*, Case No. 3:14-cv-02166-WHA. We strongly suspect that the DOD would not have written these checks if it thought it had a colorable argument that ASBL wasn’t entitled to fees. And in another case, Judge Marilyn Hall Patel of the Northern District of California ruled that ASBL was entitled to recover fees because its work was in the public interest. *American Small Business League v. Small Business Administration*, No. C 08–00829 MHP, 2009 WL 1011632 at *5 (N.D. Cal. 2009).

I now turn to the factors you identify at the bottom of page 2 of your letter. First, ASBL’s request indisputably concerns the “operations or activities of the government,” to

Terrence P. Sutherland

Page 2

May 12, 2020

wit your office in particular and the SBA in general. Indeed, one aspect of the request is for the names and salaries of everyone in your office. For you to argue that ASBL's request does not concern the "operations or activities of the government" would be tantamount to arguing that you and everyone else in your office are being paid by the government to do nothing.

Second, there is no question that ASBL's request will likely contribute to an understanding of specific government operations, and be informative to the public. Your agency, the SBA, has recently been tasked with administering the Paycheck Protection Program ("PPP") to which the government has devoted a staggering \$680 billion. ASBL's requests are focused on the PPP and how the SBA has administered that controversial program. The public has an overwhelming interest in knowing whether SBA has administered the PPP effectively, especially in light of the public revelations that many big businesses have received funds under the PPP, and the ensuing request from the Treasury Department that those funds be repaid. I hope you would agree that the public has a right to know how \$600 billion in government funds is spent.

Third, the disclosure of the records here would manifestly contribute to the "understanding of the public at large." ASBL, as you are no doubt aware, is certainly a subject matter expert on the issue of whether small businesses receive an adequate share of federal contracting dollars, and its president, Lloyd Chapman, has appeared on many network television programs. As ASBL's lawyer, I have recently had published two op-ed pieces in the *San Francisco Chronicle* which deal with the importance of obtaining information about small business subcontracting and about the administration of the Paycheck Protection Program. Rest assured that ASBL has the "intentions, ability, and methods of disseminating information to the public" about SBA's activities. In fact, I have forwarded your letter to the *New York Times* to illustrate how the SBA is trying to use excessive fees to erect roadblocks to members of the public who seek information about the SBA's activities.

The fourth factor you identify is whether disclosure "contribute[s] significantly" to public understanding of government operations or activities." Here again, there is no question that disclosure of the records ASBL seeks will contribute significantly to public understanding of government operations or activities, especially in light of the fact that SBA is now entrusted with administering and overseeing the staggering \$660 billion allocated to the PPP under the CARES Act.

Even if ASBL does not qualify for a fee waiver on the basis that release of the requested information is in the public interest- and as set forth above, ASBL does qualify for a fee waiver on that basis -- ASBL does qualify for a fee waiver because ASBL intends to use this information to further the organization's noncommercial purposes of promoting and advocating policies in response to the events leading up to and including the enactment of the CARES Act, and in general advocating policies which aid small businesses, which many people refer to as "the backbone of the American economy."

For the foregoing reasons, ASBL demands that SBA reconsider its position on ASBL's fee waiver request within 21 days, and produce all of the records that ASBL has requested within 28 days of today's date. As mentioned, if SBA does not reconsider its position on a fee waiver and produce the requested records, ASBL intends to institute

Terrence P. Sutherland

Page 3

May 12, 2020

litigation. As the above examples demonstrate, ASBL does not shy away from enforcing its rights under FOIA, and it has a track record of success in doing so.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Karl Olson', with a long horizontal flourish extending to the right.

Karl Olson

Cc: Lloyd Chapman

Aaron Field

Irene Lee

EXHIBIT K



Irene Lee
ilee@cofolaw.com

July 15, 2020

By Email

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

Re: Freedom of Information Act Appeal – No. SBA-2020-000565

Dear Mr. Fashola:

This is an appeal pursuant to 13 C.F.R. § 102.9(a) on behalf of my client, the American Small Business League (“ASBL”). ASBL specifically appeals the United States Small Business Administration’s (“SBA”) denial of its request for a fee waiver or a reduction in fees associated with FOIA request number SBA-2020-000565.

On April 9, 2020, ASBL submitted a FOIA request for the following records:

- All documents indicating the names and salaries of each current employee of the Small Business Administration’s (SBA) Press Office
- All documents indicating, concerning, or referring to all outbound calls made by every employee of the SBA’s Press Office between June 1, 2019 and March 31, 2020
- All records of communications (written, oral, and electronic) indicating, concerning, or referring to outbound calls made by every employee of the SBA’s Press Office between June 1, 2019 and March 31, 2020
- All documents indicating, concerning, or referring to any and all inbound and outbound calls for Terry Sutherland between June 1, 2019 and March 31, 2020

Mr. Fashola
Page 2
July 15, 2020

- All records of communications (written, oral, and electronic) indicating, concerning, or referring to any and all inbound and outbound calls for Terry Sutherland between June 1, 2019 and March 31, 2020

In addition to these records, ASBL requested that it not be charged fees associated with processing this FOIA request. A copy of ASBL's request dated April 9, 2020 is attached to this appeal as **Exhibit A**.

On May 7, 2020, the SBA, through Terrence Sutherland, denied ASBL's request regarding fees. The SBA then determined that the total estimated cost of processing ASBL's FOIA request is \$12,584.00, and demanded that such amount be paid before processing the request. A copy of the SBA's letter of May 7, 2020 is attached as **Exhibit B**.

On May 12, 2020, ASBL's counsel sent further correspondence to Mr. Sutherland addressing issues raised in Mr. Sutherland's May 7, 2020 letter. A copy of ASBL's response is attached as **Exhibit C**. To date, after ASBL sent this correspondence, the SBA and Mr. Sutherland have not altered the SBA's fee assessment as to this FOIA request or granted ASBL a fee waiver.

The SBA's huge \$12,584.00 fee assessment is excessive and inconsistent with FOIA, and should be reconsidered in this appeal, for two reasons. *First*, ASBL is entitled to a fee waiver under 5 U.S.C. section 552(a)(4)(A)(iii) and 13 C.F.R. § 102.8(l)(1). *Second*, regardless, the bulk of the fees charged, which are by the SBA's own admission "review" fees, may not be charged to ASBL because it is a member of the news media under 5 U.S.C. section 552(a)(4)(A)(ii)(II), and its request was not made "for commercial use" under 5 U.S.C. section 552(a)(4)(A)(ii)(I) and (III).

First, ASBL qualifies for a fee waiver under 5 U.S.C § 552(a)(4)(A)(iii) and 13 C.F.R. § 102.8(l)(1) because disclosure of the information would contribute significantly to public understanding of the operations of the government and its activities, and disclosure is not primarily in the commercial interest of the requester. In a prior case in the Northern District of California, a court awarded ASBL attorney's fees based on its analysis of similar factors. *American Small Business League v. Small Business Administration*, No. C 08-00829 MHP, 2009 WL 1011632 at *5 (N.D. Cal. 2009). ASBL is a policy advocacy group, and did not make the requests at issue here to further any commercial, trade, or profit interest. The requests at issue here concern the operations of the government, will likely contribute to an understanding of specific government operations and activities, and will likely contribute significantly to the public's understanding of those activities. And disclosure will significantly contribute to the understanding of government by the public at large. ASBL regularly issues press releases regarding the SBA and ASBL's FOIA litigation and uses the information it obtains to educate the public. Also, ASBL's counsel has published opinion pieces regarding both ASBL and the government's secrecy regarding programs which were intended to benefit small businesses. ASBL's founder, Lloyd Chapman, has often appeared in the press and on television to discuss ASBL's findings. ASBL would seek to spread the word about what it learns from this FOIA request.

Mr. Fashola
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The records at issue here, in particular, will shed light on how the SBA's press office interacted with the public, and will allow the public to learn about not only what the SBA's press office said publicly about its small business programs, but also the extent to which outside individuals and entities influenced the SBA's press office's public positions, and the extent to which the SBA's press office believed its efforts during the specified period were tailored to achieving the SBA's stated purpose of helping small businesses. The records will also shed light on whether the government money spent on SBA's image-making is well and efficiently spent and whether or not SBA has issued misleading statements to the press.

Second, the SBA may not charge ASBL "review" fees, which, by the SBA's own admission, constitute \$12,384 of the \$12,584 at issue here. Review fees may not be charged to news media requesters under 5 U.S.C. section 552(a)(4)(A)(ii)(II), or to any requester who is not seeking records "for commercial use" under 5 U.S.C. section 552(a)(4)(A)(ii)(I), (III).

ASBL qualifies as a representative of the news media. A news media representative is "any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience." 13 C.F.R. § 102.8(c)(6). Notably, "[a] request for records supporting the news-dissemination function of the requester will not be considered to be for a commercial use." *Id.* Moreover, the SBA is required to consider the requester's past publication record to make a determination. *Id.* Based on these factors, ASBL is inarguably a news media representative. ASBL has always published press releases via its own website and through other publishers to inform the general public of federal and state policies affecting small businesses. ASBL takes information received from agencies and other sources, written press releases describing that information in a form that appeals to the general public, and published these press releases online through multiple forums. News dissemination comprises a large part of ASBL's advocacy.

Also, ASBL is certainly not making this request for commercial use. The SBA can charge review fees only "when records are requested for commercial use" under 5 U.S.C. section 552(a)(4)(A)(ii)(I). Otherwise, the SBA's fees are limited to "reasonable standard charges for document search and duplication" under 5 U.S.C. section 552(a)(4)(A)(ii)(III). *See also* 13 C.F.R. § 102.8(d)(3)(i); Table 1 to § 102.8. And here, ASBL's request was not made for commercial use, because it does not "ask[] for information for a use or a purpose that furthers a commercial, trade, or profit interest." 5 U.S.C. § 552(a)(4)(A)(ii)(I), (III); 13 C.F.R. § 102.8(c)(1). Quite the opposite – it is a policy advocacy organization, and it is asking for these records to investigate and inform the public about government activities that implicate the policy area it focuses on. Researching government activity regarding and advocating for what the government has declared should be small business protections benefits all Americans, as opposed to furthering its own "commercial, trade, or profit interest." The preamble to the Small Business Act, 15 U.S.C. § 631(a), eloquently recognizes as much when it states, in the context of small business subcontracting:

The essence of the American economic system of private enterprise is free competition. Only through full and free competition can free markets, free entry

Mr. Fashola
Page 4
July 15, 2020

into business, and opportunities for the expression and growth of personal initiative and individual judgment be assured. The preservation and expansion of such competition is basic not only to the economic well-being but to the security of this Nation. Such security and well-being cannot be realized unless the actual and potential capacity of small business is encouraged and developed. It is the declared policy of the Congress that the Government should aid, counsel, assist, and protect, insofar as is possible, the interests of small-business concerns in order to preserve free competitive enterprise, to insure that a fair proportion of the total purchases and contracts or subcontracts for property and services for the Government (including but not limited to contracts or subcontracts for maintenance, repair, and construction) be placed with small-business enterprises, to insure that a fair proportion of the total sales of Government property be made to such enterprises, and to maintain and strengthen the overall economy of the Nation.

As a result, at the very least, the SBA may not charge ASBL review fees, which constitute, by the SBA's own admission, \$12,384 of the fees at issue here.

ASBL has already sufficiently proven in federal court that its functions serve a noncommercial, public benefit. Specifically, the U.S. District Court for the Northern District of California has stated in ASBL's prior case against the SBA that ASBL's functions inherently serve a public interest. *See Am. Small Business League v. U.S. Small Business Admin.*, No. C 08-00829 MHP, 2009 WL 1011632, at *3 (N.D. Cal. Apr. 15, 2009). The court specifically described ASBL as a "non-profit organization established to assist and advocate on behalf of small businesses, many of which are owned by veterans, minorities, and the disabled." *Id.* Recently, the Department of Defense has paid ASBL \$975,000 in attorney's fees in FOIA cases under the FOIA attorney's fees provision which considers factors very similar to the fee waiver provision. Therefore, ASBL's request for information "furthered a project benefitting the general public – a project of holding a government agency publicly accountable for the accuracy of its statements and ensuring the agency's compliance with its Congressional mandate." *Id.* The same reasoning applies here. The purpose of the subject FOIA request is two-fold: to inform the public about the nature and basis for the SBA's press office's public statements about the PPP, and about other small business-related programs administered by the SBA both before and during the PPP, and to keep the SBA accountable in crafting and implementing them.

For the foregoing reasons, the SBA should waive all fees associated with this request under 5 U.S.C. section 552(a)(4)(A)(iii). But even if it does not, at an absolute minimum, the SBA should not charge ASBL "review" fees – which comprise nearly all of the fee assessment at issue here – because "review" fees clearly may not be charged under FOIA to requesters who qualify as representatives of the news media, or who otherwise do not seek records for a commercial purpose.

Please contact me should there be any questions or concerns regarding this appeal.

Mr. Fashola
Page 5
July 15, 2020

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP

A handwritten signature in black ink, appearing to read 'Irene Lee', with a stylized, cursive script.

IRENE LEE

IL:hs

Attachments:

- Exhibit A – ASBL’s FOIA request dated April 9, 2020
- Exhibit B – SBA’s letter of May 7, 2020
- Exhibit C – ASBL’s response dated May 12, 2020

Cc: Karl Olson
Aaron R. Field
Kristel Gelera

EXHIBIT A



Karl Olson
kolson@cofolaw.com

April 9, 2020

By E-Mail

Delorice Price Ford
Chief, Freedom of Information/Privacy Acts Office
U.S. Small Business Administration
409 Third St., 8th Floor
Washington, D.C. 20416

Re: Freedom of Information Act Request

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We request that fees associated with this request be waived, or otherwise reduced, because the information will be used for educational purposes. Fees should also be waived

Ms. Ford
Page 2
April 9, 2020

because disclosure of the requested information is in the public interest. The information contributes significantly to the public understanding of the operations and activities of the SBA, and primarily promotes my client's noncommercial interests, in accordance with 5 U.S.C. § 552(a)(4)(A)(iii).

Please do not hesitate to contact me if there are any questions or concerns.

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CANNATA, O'TOOLE, FICKES & OLSON LLP

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KARL OLSON

KO:hs

EXHIBIT B



Office of Communications and Public Liaison | 409 3rd Street, SW | Washington, D.C. 20416

May 7, 2020

Karl Olson
100 Pine Street, Suite 350
San Francisco, CA 94111

(P) 415.409.8900
kolson@cofolaw.com

Re: April 9, 2020 ASBL FOIA Request - SBA-2020-000565

Dear Mr. Olson,

This is in response to your FOIA request dated April 9, 2020, on behalf of your client the American Small Business League, seeking data and records. Specifically, you requested:

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- All documents indicating, concerning, or referring to any and all inbound and outbound calls for Terry Sutherland between June 1, 2019 and March 31, 2020
- All records of communications (written, oral, and electronic) indicating, concerning, or referring to any and all inbound and outbound calls for Terry Sutherland between June 1, 2019 and March 31, 2020

A follow-up conversation was held between SBA Senior Legal Counsel David Fishman and yourself on April 23, 2020 where you further defined the FOIA request:

“My client would like to obtain phone records for the time period in question from the individuals in SBA’s press office, including Mr. Sutherland. We would also like Mr. Sutherland’s email records to be searched and produced for the time period set forth in ASBL’s FOIA requests, since he is the head of the office (the search should also include any records from any personal electronic device he uses to conduct public business).

In addition to the search for all of Mr. Sutherland’s emails for the time period set forth in the FOIA request, ASBL requests that a word search for all SBA press office employees be done using the following search terms: “New York Times,” “Washington Post,” “Fox News,” “USA Today,” “Los Angeles Times”, “San Francisco Chronicle,” “CNN,” “CBS News,” “PBS Newshour,” “MSNBC” and “big business.”

In addition, we would request that the following search terms be used as well: “Pandemic,” “Coronavirus,” “COVID-19,” “inspector general,” “paycheck protection program”, “glenn fine” and “President Trump.”

You requested that fees associated with this request be waived, or otherwise reduced because the information will be used for educational purposes. Fees should also be waived because disclosure of the requested information is in the public interest. The information contributes significantly to the public understanding of the operations and activities of the SBA, and primarily promotes my client’s noncommercial interests, in accordance with 5 U.S.C. § 552(a)(4)(A)(iii).

You have requested a fee waiver because the information will be used for educational purposes. To qualify for inclusion in the educational category, the request must serve a scholarly research goal of an educational institution. ASBL does not qualify under this category because it is not an institution of higher learning and vocational education.

You have also requested a fee waiver because disclosure of the information is in the public interest. To qualify for a public interest fee waiver, requesters must support the request in sufficient detail to establish that disclosure of the information sought is in the public interest and should address the following four factors:

1. The subject matter of the requested records themselves must specifically concern identifiable “operations or activities of the government”;
2. In order for the disclosure to “likely contribute” to an understanding of specific government operations or activities, the disclosable portions of the requested information must be meaningfully informative in relation to the subject matter of the request;

3. The disclosure must contribute to the “understanding of the public at large,” as opposed to that of the individual requester or a narrow segment of interested persons. With regard to this element, requesters should address with particularity and in detail the requester’s subject matter expertise and intentions, ability, and methods of disseminating information to the public; and
4. The disclosure must “contribute significantly” to public understanding of government operations or activities.

If the requester meets the above requirements, the agency should then determine whether the disclosure of the information is not primarily in the commercial interest of the requester. SBA finds that you have not submitted information sufficient to qualify for a public interest fee waiver because you have failed to address the four factors set forth above.

Before work can begin on your present request, fees must be determined. Fees are assessed per FOIA online at www.sba.gov/foia :

“Current SBA search and review processing fees are \$43 per hour for GS 14 and below and \$86 per hour for GS 15 and above. Duplication fees are 10 cents per page and computer searches are \$100 per hour. Please see [13 CFR 102.8](#) for more information regarding fees.”

In order to determine an estimate of the fees, SBA’s Office of Chief Information, did a preliminary search of the universe of emails responsive to your request. This initial search has identified approximately 46,230 emails for Mr. Sutherland during the period specified and 25,062 emails for the search terms of the Press Office employees for the period specified.

SBA estimates the initial costs of providing responsive non-privileged material to you at \$12,584 (computed at the GS-15 and above level). The estimate is based upon two hours of computer run time to identify the e-mails responsive to your request, which cost \$200.00. Additionally, it is estimated that it will take at least 18 days to review the more than 70,000 emails, determine appropriate releasable material, and redact the responsive material for privilege and exclusions. This is billed at a rate of \$86.00 per hour. As such, the total estimated cost for the requested material is \$12,584.00.

There would also be an additional cost to search and review the phone bills, which would be provided later and must be paid before receipt.

If you wish to amend or narrow your request to reduce costs, please provide specific parameters and search terms.

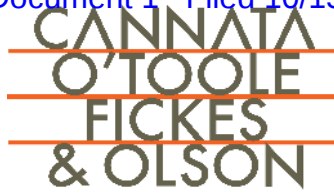
Should you determine that you do not wish to alter your request, please provide a check in the amount of \$12,584.00 made out to the U.S. Small Business Administration, Attention Mr. Terrence Sutherland, Deputy Associate Administrator, Office of Communications and Public Liaison, Small Business Administration, 409 Third Street, SW, Washington, DC 20416.

Sincerely,

Terrence P. Sutherland, OCPL Deputy AA

Terrence P. Sutherland
Deputy Associate Administrator (Operations)
Office of Communications and Public Liaison
U.S. Small Business Administration
409 Third Street, SW
Washington, DC 20416
202-205-6919

EXHIBIT C



May 12, 2020

Karl Olson
kolson@cofolaw.com

By Email

Terrence P. Sutherland
Deputy Associate Administrator (Operations)
OFFICE OF COMMUNICATIONS AND PUBLIC LIAISON
U.S. SMALL BUSINESS ADMINISTRATION
409 Third Street, SW
Washington, DC 20416
terrence.sutherland@sba.gov

Re: April 9, 2020 ASBL FOIA Request – SBA – 2020-000565

Dear Mr. Sutherland:

I am writing in response to your May 7, 2020 letter in which you take the position that my client the American Small Business League (“ASBL”) is not entitled to a fee waiver for the above FOIA request, and you then assert that the SBA can charge ASBL an outrageous and astounding \$12,584 to comply with ASBL’s FOIA request. For the reasons set forth below, SBA is mistaken and my client intends to institute litigation if SBA does not reconsider its position within 21 days of the date of this letter.

You set forth at the bottom of page 2 of your letter four factors to be considered in analyzing whether ASBL is entitled to a fee waiver. I would observe that these factors are similar to the factors a court considers in determining whether a prevailing plaintiff is entitled to recover attorney’s fees in FOIA litigation, and the courts have consistently held that ASBL is entitled to recover attorney’s fees in FOIA litigation. Indeed, just a few months ago, the Department of Defense paid ASBL \$500,000 in attorney’s fees to ASBL to settle a fee motion brought by ASBL in the case of *American Small Business League v. Department of Defense*, Case No. 3:18-cv-01979-WHA. Before that, the Department of Defense paid ASBL \$475,000 in attorney’s fees in another case after a hearing on the fee motion in *American Small Business League v. Department of Defense*, Case No. 3:14-cv-02166-WHA. We strongly suspect that the DOD would not have written these checks if it thought it had a colorable argument that ASBL wasn’t entitled to fees. And in another case, Judge Marilyn Hall Patel of the Northern District of California ruled that ASBL was entitled to recover fees because its work was in the public interest. *American Small Business League v. Small Business Administration*, No. C 08–00829 MHP, 2009 WL 1011632 at *5 (N.D. Cal. 2009).

I now turn to the factors you identify at the bottom of page 2 of your letter. First, ASBL’s request indisputably concerns the “operations or activities of the government,” to

Terrence P. Sutherland

Page 2

May 12, 2020

wit your office in particular and the SBA in general. Indeed, one aspect of the request is for the names and salaries of everyone in your office. For you to argue that ASBL's request does not concern the "operations or activities of the government" would be tantamount to arguing that you and everyone else in your office are being paid by the government to do nothing.

Second, there is no question that ASBL's request will likely contribute to an understanding of specific government operations, and be informative to the public. Your agency, the SBA, has recently been tasked with administering the Paycheck Protection Program ("PPP") to which the government has devoted a staggering \$680 billion. ASBL's requests are focused on the PPP and how the SBA has administered that controversial program. The public has an overwhelming interest in knowing whether SBA has administered the PPP effectively, especially in light of the public revelations that many big businesses have received funds under the PPP, and the ensuing request from the Treasury Department that those funds be repaid. I hope you would agree that the public has a right to know how \$600 billion in government funds is spent.

Third, the disclosure of the records here would manifestly contribute to the "understanding of the public at large." ASBL, as you are no doubt aware, is certainly a subject matter expert on the issue of whether small businesses receive an adequate share of federal contracting dollars, and its president, Lloyd Chapman, has appeared on many network television programs. As ASBL's lawyer, I have recently had published two op-ed pieces in the *San Francisco Chronicle* which deal with the importance of obtaining information about small business subcontracting and about the administration of the Paycheck Protection Program. Rest assured that ASBL has the "intentions, ability, and methods of disseminating information to the public" about SBA's activities. In fact, I have forwarded your letter to the *New York Times* to illustrate how the SBA is trying to use excessive fees to erect roadblocks to members of the public who seek information about the SBA's activities.

The fourth factor you identify is whether disclosure "contribute[s] significantly" to public understanding of government operations or activities." Here again, there is no question that disclosure of the records ASBL seeks will contribute significantly to public understanding of government operations or activities, especially in light of the fact that SBA is now entrusted with administering and overseeing the staggering \$660 billion allocated to the PPP under the CARES Act.

Even if ASBL does not qualify for a fee waiver on the basis that release of the requested information is in the public interest- and as set forth above, ASBL does qualify for a fee waiver on that basis -- ASBL does qualify for a fee waiver because ASBL intends to use this information to further the organization's noncommercial purposes of promoting and advocating policies in response to the events leading up to and including the enactment of the CARES Act, and in general advocating policies which aid small businesses, which many people refer to as "the backbone of the American economy."

For the foregoing reasons, ASBL demands that SBA reconsider its position on ASBL's fee waiver request within 21 days, and produce all of the records that ASBL has requested within 28 days of today's date. As mentioned, if SBA does not reconsider its position on a fee waiver and produce the requested records, ASBL intends to institute

Terrence P. Sutherland

Page 3

May 12, 2020

litigation. As the above examples demonstrate, ASBL does not shy away from enforcing its rights under FOIA, and it has a track record of success in doing so.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Karl Olson', with a long horizontal flourish extending to the right.

Karl Olson

Cc: Lloyd Chapman
Aaron Field
Irene Lee

EXHIBIT L

This electronic mail transmission is intended only for the addressee(s) shown above. It may contain information that is confidential, or otherwise protected from disclosure as an attorney-client or attorney work-product privileged communication. Any review, dissemination or use of this transmission or its contents by persons other than the addressee(s) is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone at (415) 409-8900, and destroy this document.

From: admin@foiaonline.gov <admin@foiaonline.gov>

Sent: Wednesday, July 22, 2020 11:15 AM

To: Karl Olson <kolson@cofolaw.com>

Subject: FOIA Appeal SBA-2020-002415 Submitted

This message is to notify you of a new appeal submission to the FOIAonline application. Appeal information is as follows:

- Appeal Tracking Number: SBA-2020-002415
- Request Tracking Number: SBA-2020-000565
- Requester Name: Karl Olson
- Date Submitted: 07/22/2020
- Appeal Status: Submitted
- Description: denial of its request for a fee waiver or a reduction in fees associated with FOIA request number SBA-2020-000565.

See attached

EXHIBIT M

From: admin@foiaonline.gov <admin@foiaonline.gov>

Sent: Monday, June 01, 2020 7:17 AM

To: Karl Olson <kolson@cofolaw.com>

Subject: FOIA Request SBA-2020-001532 Submitted

This message is to confirm your request submission to the FOIAonline application: [View Request](#). Request information is as follows:

- Tracking Number: SBA-2020-001532
- Requester Name: Mr. Karl Olson
- Date Submitted: 06/01/2020
- Request Status: Submitted
- Description: ASBL would like all of the emails in SBA's possession regarding the Regional Regulatory Fairness Board, and all emails in SBA's possession relating to, mentioning, received by or authored by Jeffrey Koenig and Jerome Toliver (who are on Region 9 of the Regional Regulatory Fairness Board), and Dr. Alison K. Brown.

EXHIBIT N



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC 20416

OFFICE OF GENERAL COUNSEL

June 12, 2020

Karl Olson
100 Pine Street, Suite 350
San Francisco, CA 94111
(P) 415.409.8900
kolson@cofolaw.com

Dear Mr. Olson,

This letter is in response to your Freedom of Information Act (“FOIA”) request No. SBA-2020-001532 in which you have requested:

All of the emails in SBA’s possession regarding the Regional Regulatory Fairness Board, and all emails in SBA’s possession relating to, mentioning, received by or authored by Jeffrey Koenig and Jerome Toliver (who are on Region 9 of the Regional Regulatory Fairness Board), and Dr. Alison K. Brown.

Before work can begin on your present request, fees must be determined. Fees are assessed per FOIA online at www.sba.gov/foia, current SBA search and review processing fees are \$43 per hour for GS 14 and below and \$86 per hour for GS 15 and above. Duplication fees are 10 cents per page and computer searches are \$100 per hour. Please see [13 C.F.R. § 102.8](#) for more information regarding fees.

In order to determine an estimate of the fees, SBA ran a preliminary search of the universe of emails responsive to your request. This initial search has identified approximately over 30,000 emails that are potentially responsive to your request. SBA estimates the initial costs of providing responsive non-privileged material to you at (computed at the GS-15 and above level) is \$2,852. The estimate is based upon one hour of computer run time to identify the e-mails responsive to your request, which costs \$100.00. Additionally, it is estimated that it will take at least 4 days to review the emails, determine appropriate releasable material, and redact the responsive material for privilege and exclusions. This is billed at a rate of \$86.00 per hour. As such, the total estimated cost for the requested material is \$2,852.

If you wish to amend or narrow your request to reduce costs, please provide specific parameters and search terms. Should you determine that you do not wish to alter your request, please provide a check in the amount of \$2,852 made out to the U.S. Small Business Administration and send to the following address:

Small Business Administration
Denver Finance Center
721 19th Street
Denver, CO 80202

If you are dissatisfied with the Agency's decision, you may file an administrative 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, DC 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

EXHIBIT O



Irene Lee
ilee@cofolaw.com

July 14, 2020

By Email

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

Re: Freedom of Information Act Appeal – No. SBA-2020-001532

Dear Mr. Fashola:

This is an appeal pursuant to 13 C.F.R. § 102.9(a) on behalf of my client, the American Small Business League (“ASBL”). ASBL specifically appeals the United States Small Business Administration’s (“SBA”) denial of its request for a fee waiver or a reduction in fees associated with FOIA request number SBA-2020-001532.

On May 22, 2020, ASBL submitted a FOIA request for the following records:

All of the emails in SBA’s possession regarding the Regional Regulatory Fairness Board, and all emails in SBA’s possession relating to, mentioning, received by or authored by Jeffrey Koenig and Jerome Toliver (who are on Region 9 of the Regional Regulatory Fairness Board), and Dr. Alison K. Brown.

A copy of ASBL’s request dated May 22, 2020 is attached to this appeal as **Exhibit A**. An email confirmation of ASBL’s FOIA request dated June 1, 2020 is attached to this appeal as **Exhibit B**.

On June 12, 2020, ASBL received a response from Eric Benderson of the SBA’s Office of General Counsel stating that the estimated cost associated with processing the request is \$2,852 and that ASBL must pay such costs before the SBA can process the subject FOIA request. A copy of the SBA’s response dated June 12, 2020 is attached as **Exhibit C**.

The fee assessment is excessive and inconsistent with FOIA, and should be reconsidered

Mr. Fashola
Page 2
July 14, 2020

in this appeal, for two reasons. *First*, ASBL is entitled to a fee waiver under 5 U.S.C. section 552(a)(4)(A)(iii) and 13 C.F.R. § 102.8(l)(1). *Second*, regardless, the bulk of the fees charged, which are by the SBA's own admission "review" fees, may not be charged to ASBL because it is a member of the news media under 5 U.S.C. section 552(a)(4)(A)(ii)(II), and its request was not made "for commercial use" under 5 U.S.C. section 552(a)(4)(A)(ii)(I) and (III).

First, ASBL qualifies for a fee waiver under 5 U.S.C. § 552(a)(4)(A)(iii) and 13 C.F.R. § 102.8(l)(1) because disclosure of the information would contribute significantly to public understanding of the operations of the government and its activities, and disclosure is not primarily in the commercial interest of the requester. In a prior case in the Northern District of California, a court awarded ASBL attorney's fees based on its analysis of similar factors. *American Small Business League v. Small Business Administration*, No. C 08-00829 MHP, 2009 WL 1011632 at *5 (N.D. Cal. 2009). ASBL is a policy advocacy group, and did not make the requests at issue here to further any commercial, trade, or profit interest. The requests at issue here concern the operations of the government, will likely contribute to an understanding of specific government operations and activities, and will likely contribute significantly to the public's understanding of those activities. And disclosure will significantly contribute to the understanding of government by the public at large. ASBL regularly issues press releases regarding the SBA and ASBL's FOIA litigation and uses the information it obtains to educate the public. Also, ASBL's counsel has published opinion pieces regarding both ASBL and the government's secrecy regarding programs which were intended to benefit small businesses. ASBL's founder, Lloyd Chapman, has often appeared in the press and on television to discuss ASBL's findings. ASBL would seek to spread the word about what it learns from this FOIA request.

Second, the SBA may not charge ASBL "review" fees, which, by the SBA's own admission, constitute \$2,752 of the \$2,852 at issue here. Review fees may not be charged to news media requesters under 5 U.S.C. section 552(a)(4)(A)(ii)(II), or to any requester who is not seeking records "for commercial use" under 5 U.S.C. section 552(a)(4)(A)(ii)(I), (III).

ASBL qualifies as a representative of the news media. A news media representative is "any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience." 13 C.F.R. § 102.8(c)(6). Notably, "[a] request for records supporting the news-dissemination function of the requester will not be considered to be for a commercial use." *Id.* Moreover, the SBA is required to consider the requester's past publication record to make a determination. *Id.* Based on these factors, ASBL is inarguably a news media representative. ASBL has always published press releases via its own website and through other publishers to inform the general public of federal and state policies affecting small businesses. ASBL takes information received from agencies and other sources, written press releases describing that information in a form that appeals to the general public, and published these press releases online through multiple forums. News dissemination comprises a large part of ASBL's advocacy.

Also, ASBL is certainly not making this request for commercial use. The SBA can charge review fees only "when records are requested for commercial use" under 5 U.S.C. section

Mr. Fashola
Page 3
July 14, 2020

552(a)(4)(A)(ii)(I). Otherwise, the SBA's fees are limited to "reasonable standard charges for document search and duplication" under 5 U.S.C. section 552(a)(4)(A)(ii)(III). *See also* 13 C.F.R. § 102.8(d)(3)(i); Table 1 to § 102.8. And here, ASBL's request was not made for commercial use, because it does not "ask[] for information for a use or a purpose that furthers a commercial, trade, or profit interest." 5 U.S.C. § 552(a)(4)(A)(ii)(I), (III); 13 C.F.R. § 102.8(c)(1). Quite the opposite – it is a policy advocacy organization, and it is asking for these records to investigate and inform the public about government activities that implicate the policy area it focuses on. Researching government activity regarding and advocating for what the government has declared should be small business protections benefits all Americans, as opposed to furthering its own "commercial, trade, or profit interest." The preamble to the Small Business Act, 15 U.S.C. § 631(a), eloquently recognizes as much when it states, in the context of small business subcontracting:

The essence of the American economic system of private enterprise is free competition. Only through full and free competition can free markets, free entry into business, and opportunities for the expression and growth of personal initiative and individual judgment be assured. The preservation and expansion of such competition is basic not only to the economic well-being but to the security of this Nation. Such security and well-being cannot be realized unless the actual and potential capacity of small business is encouraged and developed. It is the declared policy of the Congress that the Government should aid, counsel, assist, and protect, insofar as is possible, the interests of small-business concerns in order to preserve free competitive enterprise, to insure that a fair proportion of the total purchases and contracts or subcontracts for property and services for the Government (including but not limited to contracts or subcontracts for maintenance, repair, and construction) be placed with small-business enterprises, to insure that a fair proportion of the total sales of Government property be made to such enterprises, and to maintain and strengthen the overall economy of the Nation.

As a result, at the very least, the SBA may not charge ASBL review fees, which constitute, by the SBA's own admission, \$2,752 of the fees at issue here.

ASBL has already sufficiently proven in federal court that its functions serve a noncommercial, public benefit. Specifically, the U.S. District Court for the Northern District of California has stated in ASBL's prior case against the SBA that ASBL's functions inherently serve a public interest. *See Am. Small Business League v. U.S. Small Business Admin.*, No. C 08-00829 MHP, 2009 WL 1011632, at *3 (N.D. Cal. Apr. 15, 2009). The court specifically described ASBL as a "non-profit organization established to assist and advocate on behalf of small businesses, many of which are owned by veterans, minorities, and the disabled." *Id.* Recently, the Department of Defense has paid ASBL \$975,000 in attorney's fees in FOIA cases under the FOIA attorney's fees provision which considers factors very similar to the fee waiver provision. Therefore, ASBL's request for information "furthered a project benefitting the general public – a project of holding a government agency publicly accountable for the accuracy of its statements and ensuring the agency's compliance with its Congressional mandate." *Id.*

Mr. Fashola
Page 4
July 14, 2020

The same reasoning applies here.

For the foregoing reasons the SBA should waive all fees associated with this request under 5 U.S.C. section 552(a)(4)(A)(iii). But even if it does not, at an absolute minimum, the SBA should not charge ASBL “review” fees – which comprise nearly all of the fee assessment at issue here – because “review” fees clearly may not be charged under FOIA to requesters who qualify as representatives of the news media, or who otherwise do not seek records for a commercial purpose.

Please contact me should there be any questions or concerns regarding this appeal.

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP

A handwritten signature in black ink, appearing to read 'Irene Lee', written in a cursive style.

IRENE LEE

IL:hs

Attachments:

- Exhibit A – ASBL’s FOIA request dated May 22, 2020
- Exhibit B – Email correspondence dated June 1, 2020 confirming ASBL’s FOIA request
- Exhibit C – SBA’s response dated June 12, 2020

Cc: Karl Olson
Aaron R. Field
Kristel Gelera

EXHIBIT A

From: Karl Olson
Sent: Friday, May 22, 2020 3:44 PM
To: Fishman, David A.; Hunter, Karen L.
Cc: Kristel Gelera; Aaron R. Field; Irene Lee
Subject: RE: FOIA request No. 1133 ASBL

Importance: High

Dear Mr. Fishman and Ms. Hunter:

As to the above FOIA request, ASBL would like to receive biographical information in the possession of the SBA on all of the individuals mentioned who serve on the various committees identified below.

In addition, ASBL would like to know when and where these committees and boards meet, and would like notes and minutes of all of their meetings over the last five years.

ASBL would like all of the emails in SBA's possession regarding the Regional Regulatory Fairness Board, and all emails in SBA's possession relating to, mentioning, received by or authored by Jeffrey Koenig and Jerome Toliver (who are on Region 9 of the Regional Regulatory Fairness Board), and Dr. Alison K. Brown.

We demand this information within seven days of the date of this email.

The above does not represent a withdrawal of any of our requests, but simply a clarification and prioritization of it.

Under separate cover, I will be sending a letter to Mr. Fishman and Oreoluwa Fishman regarding the paramount importance of receiving the names and loan amounts of recipients of loans under the Paycheck Protection Program.

Sincerely, Karl Olson

Karl Olson

Attorney at Law

CANNATA
O'TOOLE
FICKES
& OLSON

100 Pine Street, Suite 350

San Francisco, California 94111

Tel: 415.409.8900 Fax: 415.409.8904

Please consider the environment before printing this e-mail

For further information about our firm and directions to our San Francisco and Walnut Creek offices, please visit our Firm Website at www.cofolaw.com

This electronic mail transmission is intended only for the addressee(s) shown above. It may contain information that is confidential, or otherwise protected from disclosure as an attorney-client or attorney work-product privileged communication. Any review, dissemination or use of this transmission or its contents by persons other than the addressee(s) is strictly prohibited. If you have received this transmission in error, please notify us immediately by telephone at (415) 409-8900, and destroy this document.

From: Fishman, David A. <david.fishman@sba.gov>
Sent: Monday, May 18, 2020 5:10 AM
To: Karl Olson <kolson@cofolaw.com>
Cc: Hunter, Karen L. <Karen.Hunter@sba.gov>
Subject: FW: FOIA request No. 1133 ASBL

Dear Mr. Olson,

Pursuant to our discussion with you on Wednesday, May 13th, attached please find an excel file containing all SBA advisory committees and their past and current members. There is also publicly available information on the advisory committees and boards at the links below.

SBA Website on Federal Advisory Committees: <https://www.sba.gov/content/federal-advisory-committees>

Interagency Task Force on Veterans Small Business Development
<https://www.sba.gov/offices/headquarters/ovbd/resources/14372>

Advisory Committee on Veterans Business Affairs
<https://www.sba.gov/offices/headquarters/ovbd/resources/14397>

Regional Regulatory Fairness Boards
<https://www.sba.gov/about-sba/oversight-advocacy/office-national-ombudsman#section-header-8>

National Women's Business Council
<https://www.nwbc.gov/about/members/>

FACA Database

FACA Database: <https://www.facadatabase.gov/FACA/FACAPublicPage>

FAQ on FACA Database: <https://www.gsa.gov/policy-regulations/policy/federal-advisory-committee-management/finding-information-on-faca-committees/common-federal-advisory-committee-questions>

Sincerely,

David

David A. Fishman
Senior Legal Counsel
For FOIA and Privacy Act
U.S. Small Business Administration
Office: (202) 205-6861
david.fishman@sba.gov



[Home Page](#) | [Twitter](#) | [Instagram](#) | [Facebook](#) | [YouTube](#) | [LinkedIn](#) | [Email Alerts](#)

EXHIBIT B

From: admin@foiaonline.gov <admin@foiaonline.gov>
Sent: Monday, June 01, 2020 7:17 AM
To: Karl Olson <kolson@cofolaw.com>
Subject: FOIA Request SBA-2020-001532 Submitted

This message is to confirm your request submission to the FOIAonline application: [View Request](#). Request information is as follows:

- Tracking Number: SBA-2020-001532
- Requester Name: Mr. Karl Olson
- Date Submitted: 06/01/2020
- Request Status: Submitted
- Description: ASBL would like all of the emails in SBA's possession regarding the Regional Regulatory Fairness Board, and all emails in SBA's possession relating to, mentioning, received by or authored by Jeffrey Koenig and Jerome Toliver (who are on Region 9 of the Regional Regulatory Fairness Board), and Dr. Alison K. Brown.

EXHIBIT C



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC 20416

OFFICE OF GENERAL COUNSEL

June 12, 2020

Karl Olson
100 Pine Street, Suite 350
San Francisco, CA 94111
(P) 415.409.8900
kolson@cofolaw.com

Dear Mr. Olson,

This letter is in response to your Freedom of Information Act (“FOIA”) request No. SBA-2020-001532 in which you have requested:

All of the emails in SBA’s possession regarding the Regional Regulatory Fairness Board, and all emails in SBA’s possession relating to, mentioning, received by or authored by Jeffrey Koenig and Jerome Toliver (who are on Region 9 of the Regional Regulatory Fairness Board), and Dr. Alison K. Brown.

Before work can begin on your present request, fees must be determined. Fees are assessed per FOIA online at www.sba.gov/foia, current SBA search and review processing fees are \$43 per hour for GS 14 and below and \$86 per hour for GS 15 and above. Duplication fees are 10 cents per page and computer searches are \$100 per hour. Please see [13 C.F.R. § 102.8](#) for more information regarding fees.

In order to determine an estimate of the fees, SBA ran a preliminary search of the universe of emails responsive to your request. This initial search has identified approximately over 30,000 emails that are potentially responsive to your request. SBA estimates the initial costs of providing responsive non-privileged material to you at (computed at the GS-15 and above level) is \$2,852. The estimate is based upon one hour of computer run time to identify the e-mails responsive to your request, which costs \$100.00. Additionally, it is estimated that it will take at least 4 days to review the emails, determine appropriate releasable material, and redact the responsive material for privilege and exclusions. This is billed at a rate of \$86.00 per hour. As such, the total estimated cost for the requested material is \$2,852.

If you wish to amend or narrow your request to reduce costs, please provide specific parameters and search terms. Should you determine that you do not wish to alter your request, please provide a check in the amount of \$2,852 made out to the U.S. Small Business Administration and send to the following address:

Small Business Administration
Denver Finance Center
721 19th Street
Denver, CO 80202

If you are dissatisfied with the Agency's decision, you may file an administrative 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, DC 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

EXHIBIT P

From: admin@foiaonline.gov <admin@foiaonline.gov>

Sent: Wednesday, July 15, 2020 12:59 PM

To: Karl Olson <kolson@cofolaw.com>

Subject: FOIA Appeal SBA-2020-002297 Submitted

This message is to notify you of a new appeal submission to the FOIAonline application. Appeal information is as follows:

- Appeal Tracking Number: SBA-2020-002297
- Request Tracking Number: SBA-2020-001532
- Requester Name: Karl Olson
- Date Submitted: 07/15/2020
- Appeal Status: Submitted
- Description: denial of its request for a fee waiver or a reduction in fees associated with FOIA request number SBA-2020-001532.

On May 22, 2020, ASBL submitted a FOIA request for the following records:

All of the emails in SBA's possession regarding the Regional Regulatory Fairness Board, and all emails in SBA's possession relating to, mentioning, received by or authored by Jeffrey Koenig and Jerome Toliver (who are on Region 9 of the Regional Regulatory Fairness Board), and Dr. Alison K. Brown.

A copy of ASBL's request dated May 22, 2020 is attached to this appeal as Exhibit A. An email confirmation of ASBL's FOIA request dated June 1, 2020 is attached to this appeal as Exhibit B.

On June 12, 2020, ASBL received a response from Eric Benderson of the SBA's Office of General Counsel stating that the estimated cost associated with processing the request is \$2,852 and that ASBL must pay such costs before the SBA can process the subject FOIA request. A copy of the SBA's response dated June 12, 2020 is attached as Exhibit C.

The fee assessment is excessive and inconsistent with FOIA, and should be reconsidered

EXHIBIT Q



Irene Lee
ilee@cofolaw.com

June 19, 2020

By Email

Oreoluwa Fashola
Chief, Freedom of Information & Privacy Act Office
U.S. Small Business Administration
209 Third Street N.W., 8th Floor
Washington, D.C. 20416

David A. Fishman
Senior Legal Counsel for FOIA and Privacy Act
U.S. Small Business Administration
209 Third Street N.W., 8th Floor
Washington, D.C. 20416

Re: Freedom of Information Act Request

Dear Messrs. Fashola and Fishman:

I am writing, on behalf of my client the American Small Business League, to request documents based on records that were released pursuant to Freedom of Information Act request number 113. The additional records requested are as follows:

- Any and all emails and correspondence relating to Bertica Cabrera-Morris, member of the National Small Business Development Center (SBDC) Advisory Board and owner of BCM Consulting
- Any and all emails and correspondence relating to Lea Marquez Peterson, member of the National SBDC Advisory Board and owner of the Marquez Peterson Group
- Any and all emails and correspondence relating to Bruce Thompson, member of the National SBDC Advisory Board and President of Regional Centers Holding Group
- Any and all emails and correspondence relating to Elizabeth (“Liz”) Sara, Chair of the National Women’s Business Council

Messrs. Fashola and Fishman

Page 2

June 19, 2020

- Any and all emails and correspondence relating to Pamela Prince-Eason, President and CEO of the Women's Business Enterprise National Council
- Any and all emails and correspondence relating to Rebecca Hamilton, member of the National Women's Business Council

Fees associated with this additional request should be waived as disclosure is in the public interest and the purpose of the request is to further a noncommercial interest. As per the SBA's guidance, the records requested concern the operation of the government, specifically the SBA and its advisory boards. Disclosure of the information is likely to contribute to a greater understanding of the SBA's operations and the advisory boards' roles and contributions as they relate to the Paycheck Protection Program. Our client seeks disclosure of this information solely to inform the public of the development and implementation process of the Paycheck Protection Program through its press releases and advocacy. This information would significantly contribute to public understanding of the Paycheck Protection Program by informing the public of key decisions and considerations made before and during the implementation of the program. Lastly, disclosure is not in the primary interest of our client as our client seeks this information for advocacy purposes.

Please do not hesitate to contact me should there be any questions or concerns.

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP



IRENE LEE

IL:hs

cc: Karl Olson
Kristel Gelera

EXHIBIT R



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC 20416

OFFICE OF GENERAL COUNSEL

June 30, 2020

Irene Lee
Cannata, O'Toole, Fickes & Olson, LLP
100 Pine Street, Suite 350
San Francisco, CA 94111
ilee@cofolaw.com

Dear Ms. Lee,

This is in response to your Freedom of Information Act ("FOIA") request No. SBA-2020-001953 in which you have requested the following:

- Any and all emails and correspondence relating to Bertica Cabrera-Morris, member of the National Small Business Development Center (SBDC) Advisory Board and owner of BCM Consulting
- Any and all emails and correspondence relating to Lea Marquez Peterson, member of the National SBDC Advisory Board and owner of the Marquez Peterson Group
- Any and all emails and correspondence relating to Bruce Thompson, member of the National SBDC Advisory Board and President of Regional Centers Holding Group
- Any and all emails and correspondence relating to Elizabeth ("Liz") Sara, Chair of the National Women's Business Council
- Any and all emails and correspondence relating to Pamela Prince-Eason, President and CEO of the Women's Business Enterprise National Council
- Any and all emails and correspondence relating to Rebecca Hamilton, member of the National Women's Business Council

You have requested a fee waiver for this FOIA request. Parties requesting a fee waiver under FOIA bear the burden of proving their entitlement to such a fee waiver. 13 C.F.R. §102.8. Disclosure is in the public interest when it is likely to (1) contribute significantly to public understanding of the operations or activities of the government and (2) is not primarily in the public interest of the requester. A requester must offer more than conclusory statements of public interest. The request must explain with reasonable specificity how disclosure will contribute to public understanding. When "public interest is asserted but not identified with reasonable specificity and circumstances do not clarify the point of the requests, an agency may infer a lack of substantial public interest." *McClellan Ecological Seepage Situation v. Carlucci*, 835 F2d 1282, 1285 (9th Cir. 1987).

To justify your request for a fee waiver you state that the disclosure of email and correspondence by relating to members of SBA's advisory boards is "solely to inform the public of the development and implementation process of the Paycheck Protection Program through its press releases and advocacy. This information would significantly contribute to public understanding of the Paycheck Protection Program by informing the public of key decisions and considerations made before and during the implementation of the program."

SBA is denying your request for a fee waiver because the records you are seeking would have no connection to SBA's implementation of the Paycheck Protection Program ("PPP"). Your request sets forth no specific time frames nor does it seek records related to the PPP. Instead it broadly seeks all emails at any time whatsoever related to the board member. This would include far broader records than those having to do with the PPP.

As such, fees will be assessed for the FOIA request. Current SBA search and review processing fees are \$43 per hour for GS 14 and below and \$86 per hour for GS 15 and above. Duplication fees are 10 cents per page and computer searches are \$100 per hour. Please see [13 C.F.R. § 102.8](#) for more information regarding fees. SBA ran a preliminary search of the universe of emails responsive to your request. This initial search has identified approximately over 9,000 emails that are potentially responsive to your request. SBA estimates the initial costs of providing responsive non-privileged material to you at (computed at the GS-15 and above level) is \$2,264. The estimate is based upon two hour of computer run time to identify the e-mails responsive to your request, which costs \$200.00. Additionally, it is estimated that it will take at least 3 days to review the emails, determine appropriate releasable material, and redact the responsive material for privilege and exclusions. This is billed at a rate of \$86.00 per hour. As such, the total estimated cost for the requested material is \$2,264.

If you wish to amend or narrow your request to reduce costs, please provide specific parameters and search terms. Should you determine that you do not wish to alter your request, please provide a check in the amount of \$2,264 made out to the U.S. Small Business Administration and send to the following address:

Small Business Administration
Denver Finance Center
721 19th Street
Denver, CO 80202

If you are dissatisfied with the Agency's decision, you may file an administrative 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, DC 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

EXHIBIT S



Irene Lee
ilee@cofolaw.com

July 14, 2020

By Email

Office of Hearings and Appeals
Attn: Oreoluwa Fashola
409 3rd Avenue, SW – 8th Floor
Washington, D.C. 20416
Oreoluwa.fashola@sba.gov

Re: Freedom of Information Act Appeal – No. SBA-HQ-2020-001953

Dear Mr. Fashola:

This is an appeal pursuant to 13 C.F.R. § 102.9(a) on behalf of my client, the American Small Business League (“ASBL”). ASBL specifically appeals the United States Small Business Administration’s (“SBA”) denial of its request for a fee waiver or a reduction in fees associated with FOIA request number SBA-HQ-2020-001953.

On June 19, 2020, ASBL submitted a FOIA request for the following records:

- Any and all emails and correspondence relating to Bertica Cabrera-Morris, member of the National Small Business Development Center (SBDC) Advisory Board and owner of BCM Consulting
- Any and all emails and correspondence relating to Lea Marquez Peterson, member of the National SBDC Advisory Board and owner of the Marquez Peterson Group
- Any and all emails and correspondence relating to Bruce Thompson, member of the National SBDC Advisory Board and President of Regional Centers Holding Group
- Any and all emails and correspondence relating to Elizabeth (“Liz”) Sara, Chair of the National Women’s Business Council
- Any and all emails and correspondence relating to Pamela Prince-Eason, President and

Mr. Fashola
Page 2
July 14, 2020

CEO of the Women's Business Enterprise National Council

- Any and all emails and correspondence relating to Rebecca Hamilton, member of the National Women's Business Council

Of importance in this appeal is ASBL's request for a waiver of any and all fees associated with processing this FOIA request. ASBL requested a waiver according to the following:

Fees associated with this additional request should be waived as disclosure is in the public interest and the purpose of the request is to further a noncommercial interest. As per the SBA's guidance, the records requested concern the operation of the government, specifically the SBA and its advisory boards. Disclosure of the information is likely to contribute to a greater understanding of the SBA's operations and the advisory boards' roles and contributions as they relate to the Paycheck Protection Program. Our client seeks disclosure of this information solely to inform the public of the development and implementation process of the Paycheck Protection Program through its press releases and advocacy. This information would significantly contribute to public understanding of the Paycheck Protection Program by informing the public of key decisions and considerations made before and during the implementation of the program. Lastly, disclosure is not in the primary interest of our client as our client seeks this information for advocacy purposes.

A copy of ASBL's request dated June 19, 2020 is attached to this appeal as **Exhibit A**.

On June 30, 2020, ASBL received a response from Eric Benderson of the SBA's Office of General Counsel denying the fee waiver request on the grounds that the records requested "have no connection to SBA's implementation of the Paycheck Protection Program ("PPP")." A copy of the SBA's response dated June 30, 2020 is attached as **Exhibit B**.

Overall, ASBL may not be charged either search or review fees regardless of whether or not the records requested pertain to the PPP. ASBL should have been categorized as a representative of the news media in the SBA's response, and the SBA should have calculated any potential fees on such basis. Under the SBA's regulations, a news media representative is "any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience." 13 C.F.R. § 102.8(c)(6). Notably, "[a] request for records supporting the news-dissemination function of the requester will not be considered to be for a commercial use." *Id.* Moreover, the SBA is required to consider the requester's past publication record to make a determination. *Id.* Based on these factors, ASBL is inarguably a news media representative. ASBL has always published press releases via its own website and through other publishers to inform the general public of federal and state policies affecting small businesses. ASBL takes information received from agencies and other sources, writes press releases describing that information in a form that appeals to the general public, and publishes these press releases online through multiple forums. ASBL's counsel has had articles published in the online version of the

Mr. Fashola
Page 3
July 14, 2020

San Francisco Chronicle twice in the last year which mention ASBL; the Sacramento Valley Mirror has published both an op-ed piece and a press release mentioning and/or issued by ASBL; and ASBL's president Lloyd Chapman has recently appeared on the radio and appeared on television many times in the past. In short, news dissemination comprises a large part of ASBL's advocacy. Because ASBL's sole purpose of filing the subject FOIA request is to disseminate the information in online press releases, its use cannot be considered a commercial use, pursuant to 13 C.F.R. § 102.8(c)(6). As such, ASBL should inherently qualify for a fee waiver as a news media representative furthering a noncommercial purpose.

At a minimum, the SBA should not have been charged review fees for this request. Review fees are assessed only to requesters that make commercial use requests. 552 U.S.C. 552(a)(4)(A)(ii)(I); 13 C.F.R. § 102.8(d)(3)(i); Table 1 to § 102.8. As previously stated, ASBL's sole purpose of filing the subject FOIA request is to disseminate the information in online press releases in an effort to assist and advocate for small businesses. ASBL will not receive a commercial benefit through the use of the requested information.

Moreover, ASBL has already sufficiently proven in federal court that its functions serve a noncommercial, public benefit. Specifically, the U.S. District Court for the Northern District of California has stated in ASBL's prior case against the SBA that ASBL's functions inherently serve a public interest. *See Am. Small Business League v. U.S. Small Business Admin.*, No. C 08-00829 MHP, 2009 WL 1011632, at *3 (N.D. Cal. Apr. 15, 2009). The court specifically described ASBL as a "non-profit organization established to assist and advocate on behalf of small businesses, many of which are owned by veterans, minorities, and the disabled. *Id.* Recently, the Department of Defense has paid ASBL \$975,000 in attorney's fees in FOIA cases under the FOIA attorney's fees provision which considers factors very similar to the fee waiver provision. Therefore, ASBL's request for information "furthered a project benefitting the general public – a project of holding a government agency publicly accountable for the accuracy of its statements and ensuring the agency's compliance with its Congressional mandate." *Id.* The same reasoning applies here. The purpose of the subject FOIA request is two-fold: to inform the public of the SBA's activities, and to keep the SBA accountable in implementing government programs, including but not limited to the PPP, a large, unregulated program.

Lastly, the fact that ASBL requested correspondence that spans a broad period does not preclude the possibility that older correspondences have influenced or are related to the implementation of the PPP. In fact, the correspondences requested would likely explain the SBA's motivation to provide an exception for large businesses under the PPP, an exception that not only baffles the American public, but also remains unexplained by both the SBA and the U.S. Treasury Department. The exception clearly does not arise solely from an intent to aid small businesses during COVID-19. It is likely that the exception stems from the SBA's longstanding (and confusing) classification system for "small" and "large" businesses, or other underlying policies that have existed prior to the PPP. ASBL's advocacy which questions whether programs intended to help small business are really doing so strongly supports waiving, or at least harmonizing with FOIA's express preclusion of the recovery of "review" fees, the SBA's fee assessment as to this FOIA request.

Mr. Fashola
Page 4
July 14, 2020

In light of the above, ASBL undoubtedly qualifies for a waiver of all applicable fees as a representative of the news media. If, however, ASBL does not qualify as a representative of the news media, ASBL should still qualify for a fee waiver because disclosure of the requested information pertains to the public's interest in the PPP and small business programs generally, and ASBL's use is solely noncommercial.

Please contact me should there be any questions or concerns regarding this appeal.

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP

A handwritten signature in black ink, appearing to read 'Irene Lee', written in a cursive style.

IRENE LEE

IL:hs

Attachments:

Exhibit A – ASBL's FOIA request dated June 19, 2020
Exhibit B – SBA's response dated June 30, 2020

Cc: Karl Olson
Aaron R. Field
Kristel Gelera

EXHIBIT A



Irene Lee
ilee@cofolaw.com

June 19, 2020

By Email

Oreoluwa Fashola
Chief, Freedom of Information & Privacy Act Office
U.S. Small Business Administration
209 Third Street N.W., 8th Floor
Washington, D.C. 20416

David A. Fishman
Senior Legal Counsel for FOIA and Privacy Act
U.S. Small Business Administration
209 Third Street N.W., 8th Floor
Washington, D.C. 20416

Re: Freedom of Information Act Request

Dear Messrs. Fashola and Fishman:

I am writing, on behalf of my client the American Small Business League, to request documents based on records that were released pursuant to Freedom of Information Act request number 113. The additional records requested are as follows:

- Any and all emails and correspondence relating to Bertica Cabrera-Morris, member of the National Small Business Development Center (SBDC) Advisory Board and owner of BCM Consulting
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- Any and all emails and correspondence relating to Bruce Thompson, member of the National SBDC Advisory Board and President of Regional Centers Holding Group
- Any and all emails and correspondence relating to Elizabeth (“Liz”) Sara, Chair of the National Women’s Business Council

Messrs. Fashola and Fishman

Page 2

June 19, 2020

- Any and all emails and correspondence relating to Pamela Prince-Eason, President and CEO of the Women's Business Enterprise National Council
- Any and all emails and correspondence relating to Rebecca Hamilton, member of the National Women's Business Council

Fees associated with this additional request should be waived as disclosure is in the public interest and the purpose of the request is to further a noncommercial interest. As per the SBA's guidance, the records requested concern the operation of the government, specifically the SBA and its advisory boards. Disclosure of the information is likely to contribute to a greater understanding of the SBA's operations and the advisory boards' roles and contributions as they relate to the Paycheck Protection Program. Our client seeks disclosure of this information solely to inform the public of the development and implementation process of the Paycheck Protection Program through its press releases and advocacy. This information would significantly contribute to public understanding of the Paycheck Protection Program by informing the public of key decisions and considerations made before and during the implementation of the program. Lastly, disclosure is not in the primary interest of our client as our client seeks this information for advocacy purposes.

Please do not hesitate to contact me should there be any questions or concerns.

Very truly yours,

CANNATA, O'TOOLE, FICKES & OLSON LLP



IRENE LEE

IL:hs

cc: Karl Olson
Kristel Gelera

EXHIBIT B



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, DC 20416

OFFICE OF GENERAL COUNSEL

June 30, 2020

Irene Lee
Cannata, O'Toole, Fickes & Olson, LLP
100 Pine Street, Suite 350
San Francisco, CA 94111
ilee@cofolaw.com

Dear Ms. Lee,

This is in response to your Freedom of Information Act ("FOIA") request No. SBA-2020-001953 in which you have requested the following:

- Any and all emails and correspondence relating to Bertica Cabrera-Morris, member of the National Small Business Development Center (SBDC) Advisory Board and owner of BCM Consulting
- Any and all emails and correspondence relating to Lea Marquez Peterson, member of the National SBDC Advisory Board and owner of the Marquez Peterson Group
- Any and all emails and correspondence relating to Bruce Thompson, member of the National SBDC Advisory Board and President of Regional Centers Holding Group
- Any and all emails and correspondence relating to Elizabeth ("Liz") Sara, Chair of the National Women's Business Council
- Any and all emails and correspondence relating to Pamela Prince-Eason, President and CEO of the Women's Business Enterprise National Council
- Any and all emails and correspondence relating to Rebecca Hamilton, member of the National Women's Business Council

You have requested a fee waiver for this FOIA request. Parties requesting a fee waiver under FOIA bear the burden of proving their entitlement to such a fee waiver. 13 C.F.R. §102.8. Disclosure is in the public interest when it is likely to (1) contribute significantly to public understanding of the operations or activities of the government and (2) is not primarily in the public interest of the requester. A requester must offer more than conclusory statements of public interest. The request must explain with reasonable specificity how disclosure will contribute to public understanding. When "public interest is asserted but not identified with reasonable specificity and circumstances do not clarify the point of the requests, an agency may infer a lack of substantial public interest." *McClellan Ecological Seepage Situation v. Carlucci*, 835 F2d 1282, 1285 (9th Cir. 1987).

To justify your request for a fee waiver you state that the disclosure of email and correspondence by relating to members of SBA's advisory boards is "solely to inform the public of the development and implementation process of the Paycheck Protection Program through its press releases and advocacy. This information would significantly contribute to public understanding of the Paycheck Protection Program by informing the public of key decisions and considerations made before and during the implementation of the program."

SBA is denying your request for a fee waiver because the records you are seeking would have no connection to SBA's implementation of the Paycheck Protection Program ("PPP"). Your request sets forth no specific time frames nor does it seek records related to the PPP. Instead it broadly seeks all emails at any time whatsoever related to the board member. This would include far broader records than those having to do with the PPP.

As such, fees will be assessed for the FOIA request. Current SBA search and review processing fees are \$43 per hour for GS 14 and below and \$86 per hour for GS 15 and above. Duplication fees are 10 cents per page and computer searches are \$100 per hour. Please see [13 C.F.R. § 102.8](#) for more information regarding fees. SBA ran a preliminary search of the universe of emails responsive to your request. This initial search has identified approximately over 9,000 emails that are potentially responsive to your request. SBA estimates the initial costs of providing responsive non-privileged material to you at (computed at the GS-15 and above level) is \$2,264. The estimate is based upon two hour of computer run time to identify the e-mails responsive to your request, which costs \$200.00. Additionally, it is estimated that it will take at least 3 days to review the emails, determine appropriate releasable material, and redact the responsive material for privilege and exclusions. This is billed at a rate of \$86.00 per hour. As such, the total estimated cost for the requested material is \$2,264.

If you wish to amend or narrow your request to reduce costs, please provide specific parameters and search terms. Should you determine that you do not wish to alter your request, please provide a check in the amount of \$2,264 made out to the U.S. Small Business Administration and send to the following address:

Small Business Administration
Denver Finance Center
721 19th Street
Denver, CO 80202

If you are dissatisfied with the Agency's decision, you may file an administrative 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, DC 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

EXHIBIT T

From: "admin@foiaonline.gov" <admin@foiaonline.gov>

Date: Wednesday, July 15, 2020 at 1:08 PM

To: Irene Lee <Lee@cofolaw.com>

Subject: FOIA Appeal SBA-2020-002298 Submitted

This message is to notify you of a new appeal submission to the FOIAonline application. Appeal information is as follows:

- Appeal Tracking Number: SBA-2020-002298
- Request Tracking Number: SBA-HQ-2020-001953
- Requester Name: Irene Lee
- Date Submitted: 07/15/2020
- Appeal Status: Submitted
- Description: denial of its request for a fee waiver or a reduction in fees associated with FOIA request number SBA-HQ-2020-001953.