



March 8, 2021

Senate Commerce and Tourism Committee  
310 Knott Building  
404 S. Monroe Street  
Tallahassee, FL 32399-1100

Re: SB 968 Public Records/Economic Development Agency

I write to express the First Amendment Foundation's objection to Senate Bill 968, which will exempt certain information held by an economic development agency pursuant to its administration of a state or federally funded small business loan program. This exemption will prevent public oversight of government programs.

Recently, more than [100 potentially ineligible recipients](#) received federal Payroll Protection Program (PPP) loans. Nearly \$7.4 million went to businesses ineligible to receive loans under the federal program. In a [review](#) of ineligible companies that received loans of at least \$150,000, Florida accounted for more than one out of every four unqualified businesses.

Transparency is necessary to ensure that only eligible businesses receive state and federal loans. Restricting access to government loan programs not only undermines the public's constitutional right of access to public records, but also precludes oversight of government spending. Accordingly, FAF opposes Senate Bill 968.

If you have any questions, please do not hesitate to contact us.

With best regards,

FIRST AMENDMENT FOUNDATION

Pamela C. Marsh  
President

cc: The Honorable Wilton Simpson, President, Florida Senate  
The Honorable George Gainer, Senator, Florida House  
Jim Baltzelle, Associated Press, Chair, First Amendment Foundation  
Samuel Morley, General Counsel, Florida Press Association  
Lisa Nellesen Savage, Chair, Florida Society of News Editors

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