

U.S. SMALL BUSINESS ADMINISTRATION

WASHINGTON, DC 20416

July 29, 2024

The Honorable Roger Williams  
Chairman  
House Committee on Small Business  
Washington, DC 20515

The Honorable Joni Ernst  
Ranking Member  
Senate Committee on Small Business  
Washington, DC 20510

Dear Chairman Williams and Senator Ernst:

This responds to your letter to the Small Business Administration (SBA) dated July 15, 2024, regarding the Committee's ongoing interest in the SBA's Memorandum of Understanding (MOU) with the Michigan Department of State (MDOS) to make it easier for small business owners to register to vote.

On March 7, 2021, President Biden signed Executive Order on Promoting Access to Voting (14019), in which he called upon all federal agencies to carry out their responsibilities under the National Voter Registration Act (NVRA). As you know, Congress passed the National Voter Registration Act of 1993 (NVRA) to create a standardized process for voter registration across the country. Under the NVRA, states are directed to designate as voter registration agencies all offices in the state that provide public assistance, as well as federal and nongovernmental offices in the state, with the agreement of those offices. In short – the Executive Order asks agencies to carry out what Congress contemplated through the NVRA.

Small business owners and workers deserve easy access to information that will help them exercise their fundamental right to vote. For these reasons, sharing information on voter registration is not just a legal obligation under NVRA, but it is also a service aligned with SBA's mission to "aid, counsel, assist and protect, insofar as is possible, the interests of small business concerns" and responsibilities in communities across the country.

Regrettably, the Committee continues to accuse SBA of electioneering and acting beyond its authority. Additionally, even though SBA has cooperated with the Committee's inquiry, the Committee has threatened the extraordinary step of issuing a subpoena.

Over the last few months, SBA has provided testimony, information, and documents that all clearly show that the Agency's actions were not politically motivated. On May 10, May 29, and July 2, SBA provided the Committee with responsive documents and communications, including discussions between SBA and Michigan Department of State officials involved in crafting the MOU. That production included drafts of the MOU. Today, we are producing additional responsive communications with the State of Michigan during the development of the MOU. The Committee has also requested "Interim and final reports drafted and submitted to the White House regarding implementation of the E.O.," but no such document has been transmitted to the White House.

On May 3, SBA provided a thorough subject matter expert briefing on SBA's efforts and planned implementation of the MOU. Then, two SBA officials, including the agency's Chief of Staff, voluntarily appeared for transcribed interviews with Committee staff on June 3 and June 22 to answer questions on this and other topics. SBA's extensive record of accommodation by providing documents, communications, and testimony to the Committee has consistently demonstrated SBA's transparency and that the Agency has only been engaged in nonpartisan activities regarding the MOU and work with the State of Michigan. Just last week, on July 24, 2024, Associate Administrator Jennifer Kim also testified at a House Small Business Subcommittee hearing that SBA has not yet begun any of the activities agreed to under the MOU.

Finally, the Committee's implication that SBA prioritizes engaging with Democrats over Republicans is similarly without merit. In order to fulfill SBA's mission, Administrator Guzman believes it is important that she and SBA officials travel outside of Washington to meet small business customers where they are. Throughout the administration, Administrator Guzman has prioritized meeting with new small business startups and has worked with elected officials—Democrats and Republicans—to connect them to SBA's programs and Resource Partners network. Members of Congress also frequently invite the Administrator to their districts to discuss the successes and challenges that small businesses are facing.

Administrator Guzman has traveled to Congressional districts across the country to highlight these important issues and has a track record of bipartisan engagement including traveling to Fort Hood, Texas with Chairman Williams. Since the start of the year, for example, Administrator Guzman has held small business engagements in New Hampshire, Colorado, New York, Pennsylvania, Oklahoma, Georgia, and other states. She has also been invited to speak at small businesses and entrepreneurial conferences, including the Native American Contractors Association, National 8(a) Conference, Reservation Economic Summit, SBDC Annual Conference, and the U.S. Chamber Foundation's Annual Building Resilience Conference. Her official travel schedule highlights the Agency's core mission to strengthen our nation's economy by assisting small business concerns with counseling, capital, contracting, and disaster assistance.

We hope you find this information helpful. We will plan to make another document production in the near future. Please do not hesitate to contact our office if we can provide you with further help on this or any other matter.

Sincerely,

*George Holman*

George Holman  
Associate Administrator  
Congressional and Legislative Affairs