

Congress of the United States
U.S. House of Representatives
Committee on Small Business
2561 Rayburn House Office Building
Washington, DC 20515-6515

May 7, 2024

Mr. Tyler Robinson
Special Advisor
U.S. Small Business Administration
409 3rd Street, SW
Washington, DC 20416

Dear Mr. Robinson:

The House Committee on Small Business (the Committee) is investigating the U.S. Small Business Administration's (SBA) voter registration activities. The Committee's attention was drawn to this matter after the SBA's March 19, 2024, announcement that it had entered into a new voter registration Memorandum of Understanding (MOU) with the Michigan Department of State purporting to help facilitate voter registration in the State of Michigan.¹ The MOU is the SBA's implementation of President Biden's March 2021 Executive Order on Promoting Access to Voting (E.O. 14019).²

The next day, during a Committee hearing regarding oversight of the SBA, several Committee Members expressed concerns about the timing and location of the initiative and whether the SBA is reaching beyond its statutory authority to improperly involve itself in the election process of a battleground state.³ Members asked the SBA to provide "every email and every official correspondence to small businesses and interagency on those discussions related to requesting, enticing companies to register."⁴ The SBA, to date, has failed to provide any of those documents. Further, in questions for the record submitted to the SBA after the hearing, multiple Members asked additional questions and requested additional documents around the voter registration efforts. These, to date, also remain unanswered.

On April 4, 2024, the Committee formally launched an investigation to uncover why the SBA is focusing on registering voters in Michigan while small businesses throughout the nation struggle to survive under the Biden Administration's policies. The Committee requested that the SBA produce seven categories of documents, including the MOU itself, by April 18, 2024. Unfortunately, the SBA failed to provide a briefing, narrative response, or any documents by the

¹ Press Release, U.S. Small Bus. Admin., SBA Administrator Guzman Announces Agency's First-Ever Voter Registration Agreement with Michigan Department of State (Mar. 19, 2024)

² Joseph R. Biden, Exec. Order 14019, Promoting Access to Voting, Mar. 7, 2021, 86 F.R. 13623.

³ See *Conducting Oversight: Testimony from the Small Business Administrator: Hearing Before H. Comm. on Small Bus.*, 118th Cong. (Mar. 20, 2024).

⁴ *Id.*

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deadline. The SBA eventually provided a narrative response on April 26, 2024. This response was less than a page long and was simply a regurgitation of the press release the SBA released on March 19, 2024. This so-called response did not answer any of the questions nor provide any requested documents.

The Committee sent a follow-up letter on April 18, 2024, requesting a voluntary transcribed interview with you, Mr. Robinson, on May 2, 2024, after a video recording of you with information pertinent to the investigation was made public the previous day. In this video, you made allegations about improper conduct at the SBA related to this investigation. When Majority staff was able to reach the SBA by telephone to discuss your availability, the SBA did not even attempt to negotiate the date or time of this interview, and instead opted to blatantly ignore the request. The SBA continued its disregard for the Chairman's request even during a conversation with Majority staff on the day of your scheduled interview, declining to provide any alternative dates you would be available. Despite the utter lack of engagement from the SBA, the Chairman elected to move forward with the interview as scheduled. As the transcript from that interview shows, the SBA failed to make you available for the interview or to even negotiate with the Committee over the date and time for a transcribed interview with you.

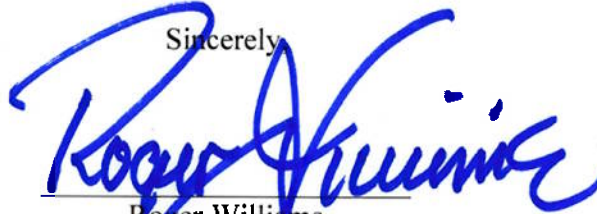
Further, the night before your interview, the SBA emailed and said, "[w]e stand ready to brief the Committee on the MOU this Friday, May 3 via Teams ... we will not be making officials available for transcribed interviews this week." The Committee accepted the briefing, which occurred on May 3, 2024. When Committee staff attempted to ask questions about the video and the allegations contained therein, the SBA shut down the questioning. When Committee staff asked questions about the briefer's role at the SBA as it relates to their experience with voter registration, SBA staff again shut down the questions. The SBA's refusal to make either you or your boss, Mr. Arthur Plews, available for interviews, or even discuss available dates, on top of SBA staff's refusal to answer basic questions in the briefing, is unacceptable. The briefing provided by the SBA staff was wholly inadequate and does not obviate the need for the Committee to receive your testimony.

The Committee on Small Business has broad authority to investigate "problems of all types of small business" under House Rule X, including the SBA's engagement in voter registration under E.O. 14019 and the MOU. Pursuant to this authority, the Committee has identified specific individuals' testimony that is necessary to conduct this constitutionally based oversight. Unfortunately, the SBA has refused to engage on these requests. To ensure there is no further undue delay and that the Committee can obtain critical testimony to evaluate legislative solutions, attached to this letter is a subpoena for you to appear for a deposition on May 21, 2024, in Washington, D.C.

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The subpoena has been issued pursuant to Rule XI.2(m)(1)(B) of the Rules of the House of Representatives and Rule 9(A) of the Committee's rules. If you have any questions regarding this subpoena, please coordinate with Lauren Holmes, General Counsel for the majority staff, at lauren.holmes@mail.house.gov.

Sincerely,



Roger Williams
Chairman

House Committee on Small Business

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To Tyler Robinson

You are hereby commanded to be and appear before the
House Committee on Small Business

of the House of Representatives of the United States at the place, date, and time specified below.

- to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: _____

Date: _____

Time: _____

- to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: 2360 Rayburn House Office Building, Washington, D.C. 20515

Date: May 21, 2024

Time: 10:00 AM ET

- to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

To any authorized staff member or the U.S. Marshals Service

to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at
the city of Washington, D.C. this 7 day of May, 2024.

Attest:

Kevin F. McCulley

Clerk

Roger Williams
Chairman or Authorized Member

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COMMITTEE ON SMALL BUSINESS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: TYLER ROBINSON

Thursday, May 2, 2024

Washington, D.C.

The interview in the above matter was held in room 2414, Rayburn House Office Building, commencing at 10:03 a.m.

Present: Representative Meuser.

1 Appearances:

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5 For the COMMITTEE ON SMALL BUSINESS:

6

7 CHRIS ECKHARDT, LAW CLERK

8 LAUREN HOLMES, GENERAL COUNSEL

9 BEN JOHNSON, STAFF DIRECTOR

10 MATTHEW PERRICONE, LEGISLATIVE DIRECTOR

11 FOR REP. MEUSER

12 MATT VANHYFTE, DIRECTOR OF COMMUNICATIONS

13 ELLEN HARRINGTON, MINORITY DEPUTY STAFF DIRECTOR

14 MELISSA JUNG, MINORITY STAFF DIRECTOR

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2 Ms. Holmes. This is the scheduled transcribed interview of Mr. Tyler Robinson
3 conducted by the Committee on Small Business under the authority granted under House
4 Rule X and the rules of the Committee on Small Business.

5 This interview was requested by Chairman Williams as part of the committee's
6 oversight of the Small Business Administration's voter registration efforts.

7 My name is Lauren Holmes, and I am the general counsel with the majority on the
8 Committee on Small Business.

9 For the record, starting with the members and their staff, followed by majority
10 staff, minority staff, can the additional staff members please introduce themselves with
11 their name, title, and affiliation?

12 Mr. Meuser. Dan Meuser, Member, U.S. House, representing Pennsylvania's
13 Ninth Congressional District.

14 Mr. Perricone. Matthew Perricone, legislative director for Congressman Meuser.

15 Mr. Eckhardt. Chris Eckhardt, law clerk for the majority staff with the Committee
16 on Small Business.

17 Mr. VanHyfte. Matt VanHyfte, director of communications for the Committee on
18 Small Business, majority.

19 Mr. Johnson. Ben Johnson, staff director, Committee on Small Business,
20 majority.

21 Ms. Harrington. Ellen Harrington, deputy staff director, House Small Business,
22 minority.

23 Melissa Jung. Melissa Jung, staff director, House Small Business, minority.

24 Ms. Holmes. Thank you, everyone.

25 Unfortunately, the SBA has failed to make Mr. Robinson available today or even

1 enter into negotiations over the date and time for his transcribed interview.

2 Less than 24 hours before this interview was scheduled to take place, Mr. George
3 Holman, the Associate Administrator for Congressional Affairs at the SBA, sent majority
4 staff an email noting their decision not to participate in today or tomorrow's scheduled
5 interviews.

6 I will read the email into the record. Quote:

7 "Hi, Lauren.

8 "We stand ready to brief the committee on the MOU this Friday, May 3rd, via
9 Teams. On a related note, we plan to share responsive documents related to the
10 committee's interest on the MOU soon.

11 "Separately, we will not be making officials available for transcribed interviews
12 this week. As a first step, we would appreciate the opportunity to brief your team on
13 the topics of interest to the committee. After providing a briefing on these issues, we
14 can discuss your interest in receiving additional information.

15 "Please let us know if you would like to schedule such a briefing. We look
16 forward to further discussion as the accommodations process continues and future
17 engagement with the committee. Please let me know if you have questions."

18 End quote.

19 I responded shortly thereafter with, quote:

20 "Hi, George.

21 "We do not think a briefing will sufficiently address our concerns. The chairman
22 requested TIs and that is our continued expectation. We are always happy to negotiate
23 dates if tomorrow and Friday do not work for Mr. Robinson and Mr. Plews. However, if
24 you are unable to provide alternate dates that they are available for these TIs, we will
25 proceed as scheduled," end quote.

1 This blatant disregard for the chairman's request is unacceptable.

2 The time is now 10:06, and the majority will begin their first hour.

3 We are here today because the committee is investigating the SBA's voter
4 registration activities. The committee's attention was drawn to this matter after the
5 SBA's March 19th, 2024, announcement that it had entered into a new voter registration
6 memorandum of understanding, or MOU, with the Michigan Department of State
7 purporting to help facilitate voter registration in the State of Michigan.

8 The MOU is the SBA's implementation of President Biden's March 2021 Executive
9 Order on Promoting Access to Voting, Executive Order 14019.

10 The next day, during a committee hearing regarding the oversight of the SBA,
11 several committee members expressed concerns about the timing and location of the
12 initiative and whether the SBA was reaching beyond its statutory authority to improperly
13 involve itself in the election process of a battleground State.

14 Members asked the SBA to provide, quote, "every email and every official
15 correspondence to small businesses and interagency on those discussions related to
16 requesting, enticing companies to register."

17 The SBA, to date, has failed to provide any of those documents.

18 Further, in questions for the record submitted to the SBA after the hearing,
19 multiple members asked additional questions and made additional requests for
20 documents around the voter registration efforts. These, to date, also remain
21 unanswered.

22 On April 4th, 2024, the committee formally launched an investigation to uncover
23 why the SBA is focusing on registering voters in Michigan while small businesses
24 throughout the Nation struggle to survive under the Biden administration's policies.

25 The committee requested that the SBA produce seven categories of documents,

1 including the MOU itself, by April 18th, 2024. Unfortunately, the SBA failed to provide a
2 briefing, narrative response, or any documents by the deadline.

3 Therefore, the committee sent a follow-up letter on April 18th, 2024, requesting a
4 transcribed interview with Mr. Robinson and his supervisor, Mr. Arthur Plews, after a
5 video featuring Mr. Robinson with pertinent information to the investigation was made
6 public on April 17th, 2024.

7 Rather than negotiating about the date or time of this interview, the SBA has
8 continued to blatantly ignore this request.

9 The committee is incredibly concerned that the SBA has improperly involved the
10 Federal Government in America's electoral process. Mr. Robinson confirmed this on
11 video when he said the SBA is campaigning for President Biden. When asked, "So
12 Administrator Guzman is indirectly campaigning for President Biden?" he responded,
13 "Yes. Yeah."

14 Further in the video, Mr. Robinson discusses how the SBA worked around the
15 Hatch Act to ensure Guzman could travel across the country to help elect Democrats.

16 From the allegations made in this video, it is clear that Mr. Robinson has
17 information pertinent to this investigation.

18 The committee has broad authority to investigate 'problems of all types of small
19 business' under House Rule X, including SBA's engagement in voter registration under
20 Executive Order 14019 and the MOU.

21 Pursuant to this authority, the committee has identified specific individuals'
22 testimony that is necessary to conduct this constitutionally based oversight.
23 Unfortunately, the SBA has refused to engage on these requests.

24 To ensure there is no further undue delay and that the committee can obtain
25 critical testimony to evaluate legislative solutions, this serves as notice to the minority of

1 the chairman's intent to subpoena Mr. Robinson for his testimony.

2 I now yield to Representative Meuser from Pennsylvania for his statement.

3 Mr. Meuser. Thank you.

4 This is Congressman Dan Meuser, Member of the U.S. House, representing the
5 Ninth Congressional District of Pennsylvania, member of the House Committee on Small
6 Business.

7 I'm in attendance today due to the severity of the issue. The committee has
8 requested Mr. Robinson's presence to discuss a request the SBA has ignored.

9 During a time where our Nation's small business owners are struggling with
10 suffocating inflation, burdensome regulations, workforce shortages, and difficulty
11 accessing capital, one agency supposedly dedicated to their support in Washington, the
12 SBA, is using their valuable taxpayer-provided -- high-level people at that -- resources to
13 further the political campaign of President Biden and the other members of his party in
14 Congress, as per the video, which sounded pretty ugly and credible.

15 On March 19th, 2024, the SBA publicly and proudly announced that it had entered
16 into a new voter registration MOU with the Michigan Department of State to help
17 facilitate voter registration in the State of Michigan.

18 Boy, I don't recall seeing that in the mission statement of the SBA.

19 The next day, during the hearing where this committee was conducting oversight
20 of the SBA, other members of the committee and I expressed concerns about the
21 suspicious timing and location of the initiative and whether the SBA is acting outside of its
22 mission in a potential violation of the Hatch Act to inappropriately influence the election
23 prospects of the President.

24 We've asked to see what the MOU -- how it reads. During the hearing, I asked
25 Administrator Guzman to provide every email and every official correspondence to small

1 businesses and interagency communication related to requesting and asking companies
2 to register -- I thought that was reasonable -- and for those registered to participate in
3 this voter registration initiative.

4 It has been 6 weeks since this hearing, and the SBA has failed to provide any of
5 these documents to the committee, including the MOU, which I understand is available
6 under Freedom of Information, Right to Know, and every other law that exists.

7 On April 4th, 2024, I sent a letter, with Chairman Williams and other members of
8 our committee, to the SBA requesting the signed MOU the SBA so proudly announced on
9 March 19th, as well as other information regarding its origins and purpose. SBA has
10 refused to share this MOU with our committee.

11 It is quite unconscionable that during such a precarious time for our Nation's small
12 businesses that the sole Federal agency created to serve as their advocate is instead
13 utilizing their limited taxpayer resources and time to advance partisan political
14 campaigns.

15 It shows a total disregard for our Nation's small businesses, for our free and fair
16 election systems, and it's gross administrative malpractice. These concerns must be
17 addressed and answered by the SBA, beginning with officials directly involved, like this
18 Mr. Robinson.

19 It is unacceptable the SBA has, perhaps intentionally, failed to make Mr. Robinson
20 available to us for an interview today. No surprise. We're not idiots.

21 Small businesses are at the heart of the work we do in this committee. It is
22 shocking that we need to remind the SBA it is their responsibility to do the same, because
23 they actually do work for the taxpayer and they are not really entitled to do whatever the
24 hell they want.

25 I will continue to work with Chairman Williams and the other members of the

1 committee to thoroughly investigate this matter and ensure that the SBA and the media
2 that's interested and everybody else that can hear us from the rooftops is not fulfilling its
3 mission to aid, counsel, assist, and protect the interests of small business while the
4 President apparently directs them to engage in his campaign.

5 So there was this video of this senior adviser that I'm not sure many of you saw,
6 where he just was trying to impress somebody by telling them that, "Yeah, this is regular
7 practice at the SBA. We focus on Democrat counties and Democrat States. We don't
8 invite Republican members," as I know, because Administrator Guzman said, "Oh, yeah, if
9 we come to Pennsylvania we'll let you know."

10 No. She was no more than 5 miles from where I live and she was spending time
11 with Democrats. So that's just one piece of the proof of what this individual, Tyler
12 Robinson, had to state during his video.

13 So along with receiving no response, having a video just stating what the SBA's
14 main focus is -- and that's helping President Biden register Democrats and get
15 elected -- that's what Guzman's main job is, according to him and the video. And he's a
16 senior adviser.

17 I'm not sure how many years he's been with the SBA. I'm sure since the
18 beginning of day one of the Biden administration, because he does not really -- he doesn't
19 exactly have a business background and is helping small businesses. This kid is a hired
20 individual to help the administration advance themselves in this coming election.

21 So this is pretty outrageous. We want to see the MOU. We want to know what
22 other States that they're engaged in this, you know, these really low actions. And we
23 think we're going to pursue this, and it's pretty ugly and it's pretty disappointing.

24 And, hopefully, you know, Democrats don't fight back, because it's an
25 undermining of the agency and it's an undermining of any confidence that's left in

1 election integrity.

2 I yield.

3 Ms. Holmes. Thank you, sir.

4 I think that's all the questions that the majority has and comments.

5 Does the minority have anything they'd like to add for the record?

6 Ms. Jung. No.

7 Ms. Holmes. Well, with that, we can go off the record, and we are done for
8 today.

9 [Whereupon, at 10:16 a.m., the interview was concluded.]