

S. HRG. 119-50

**NOMINATIONS OF WILLIAM BRIGGS TO BE
DEPUTY ADMINISTRATOR OF THE SMALL
BUSINESS ADMINISTRATION AND DR.
CASEY MULLIGAN TO BE CHIEF COUNSEL
FOR ADVOCACY AT THE SMALL
BUSINESS ADMINISTRATION**

HEARING
BEFORE THE
**COMMITTEE ON SMALL BUSINESS
AND ENTREPRENEURSHIP**
OF THE
UNITED STATES SENATE
ONE HUNDRED NINETEENTH CONGRESS
FIRST SESSION

MARCH 12, 2025

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FOR ADVOCACY AT THE
SMALL BUSINESS ADMINISTRATION**

WEDNESDAY, MARCH 12, 2025

UNITED STATES SENATE,
COMMITTEE ON SMALL BUSINESS
AND ENTREPRENEURSHIP,
Washington, DC.

The Committee met, pursuant to notice, at 2:41 p.m., in Room 428A, Russell Senate Office Building, Hon. Joni Ernst, Chair of the Committee, presiding.

Present: Senators Ernst [presiding], Hawley, Justice, Husted, Markey, Cantwell, and Hickenlooper.

OPENING STATEMENT OF SENATOR ERNST

CHAIR. I call the Committee on Small Business and Entrepreneurship to order. The purpose of today's hearing is to consider two of President Trump's nominees. First, we have Mr. Bill Briggs to serve as Deputy Administrator of the Small Business Administration. And our second nominee is Dr. Casey Mulligan to serve as the Chief Counsel for Advocacy of SBA's Office of Advocacy. I'd like to welcome you both here today and thank you very much for your willingness to serve.

Just to give folks a quick run of show, I'm going to make brief opening statements, then I'll turn to Ranking Member Markey to do the same. Then I will introduce the nominees and we'll administer the oath. After the oath, Mr. Briggs, and then Dr. Mulligan will be recognized for their statements. These statements will be followed by questions from our Members, alternating between each side. I now recognize myself for five minutes for the purposes of an opening statement. Again, welcome to the Committee and thank you Mr. Briggs and Dr. Mulligan for your willingness to serve in these roles.

Today, we are considering nominees for two very important positions. I greatly appreciate the time you've spent meeting with me and my colleagues prior to this hearing. I want to take a minute to recognize some of the family and friends who are supporting you both today. First, and just raise your hand when I read your name, please.

First, I want to recognize some of Mr. Briggs family, his parents, Dodie and Bill. Thank you for being here. As well as his siblings, Susan, Robert, Ted, and his nephew, Braden. Thank you all for being here. And then for Dr. Mulligan, I would like to welcome your wife, Julia. Thank you, Julia. And three of your five children, John, Elizabeth, which is also my daughter's name, thank you, and Maeve. Hi Maeve. Thank you. We appreciate you all making the trip here.

I appreciate that you both have fully embraced the Committee's standard, yet extensive vetting of your experiences and backgrounds in advance of today's hearing and our upcoming vote on your nominations. As I've shared with both of you, I believe substantial reforms must be made to get the SBA back in shape, and that is going to require strong leadership. I am thrilled with Administrator Loeffler's actions so far, but she will need a strong partner, and that is why the deputy administrator role is so critical.

Traditionally, SBA administers programs and services falling into three main buckets: counseling, contracting, and access to capital. Mr. Briggs, previously you worked at SBA during the critical implementation of the Paycheck Protection Program. These funds were vital to ensuring Main Street businesses across America kept their doors open during the pandemic.

Unfortunately, there has been fraud in SBA's programs, especially in the Covid Economic Injury Disaster Loan or EIDL Program, and I want to know how you will continue to work with me to root out these fraudsters. Small businesses needed help, and American taxpayers provided it. But it is completely unacceptable that bad actors took advantage of this emergency assistance. Even more alarming, the federal government hasn't held these criminals accountable. But that must change. So, I look forward to hearing how you will recoup these funds.

As you know, Covid recovery is not the only challenge small businesses faced over the last five years. In my home state of Iowa, small businesses are the lifeblood of our rural communities, and for too long, they've been crushed with red tape, and burdensome and often unnecessary reporting requirements with no one caring about how that affects day-to-day operations.

This brings me to the role of the Chief Counsel for Advocacy. Dr. Mulligan, I am impressed with your background and extensive work to ensure economic analysis properly reflects the cost to small businesses. The cost of regulations for small businesses is out of control. The last administration promulgated more than 1,100 final rules costing \$1.8 trillion. The Biden administration's regulatory costs were 600 times higher than that of the first Trump administration, and 3.7 times higher than that of the Obama administration.

I have been encouraged by President Trump's executive orders to freeze and roll back regulations. This, to me, shows a clear understanding of the need to evaluate the effects, both direct and indirect, that government regulation is having on America's economic growth. That said, Advocacy's role remains true, regardless of party, to ensure that a strong Chief Counsel stands up for the little guy and warns regulators when small firms will be harmed.

I have introduced the PROVE IT Act, again, this Congress, which requires agencies to consider both the direct and indirect costs placed on small businesses when promulgating regulations. It also creates a process where small entities and representative organizations can ask Advocacy to formally review an agency's certification of a rule and prove it is fully compliant with the law.

I want to ensure that agencies respect and adhere to the existing laws and give Advocacy further tools to dissuade federal bureaucrats from making poor decisions that harm small businesses. This is why Advocacy needs a confirmed Chief Counsel, and I'm pleased that the President acted swiftly with this nomination. I want to thank you both for being here, and I look forward to your testimony.

I now recognize Ranking Member Markey for his opening statement.

STATEMENT OF SENATOR MARKEY

Senator MARKEY. Thank you, Madam Chair, very much.

The Small Business Administration is intended to support small businesses by providing capital contracts and counseling, but so far Trump's SBA only produce closures, and cuts, and chaos. Across the federal government, Elon Musk's army of unelected bureaucrats is taking a chainsaw to agencies cutting contracts and breaking promises. About a quarter of all canceled contracts were to small businesses in our country.

The President's already cut contracts with small businesses all across our country, many of which were owned by women and people in minority groups. The Veterans Affairs Administration also announced \$2 billion in contract cancellations, including some to veteran-owned and service-disabled veteran-owned small businesses.

Meanwhile, DOGE has barely touched the largest government contractors who were responsible for more than \$200 billion in federal contract spending last year. \$2 billion, they're all over that. Those are the smaller companies. \$200 billion, the big defense contractors, they can't find any fraud. And we know there's waste in fraud all over those contracts. Going to be honest about it.

At SBA, specifically, Musk's minions who have no government experience and zero small business understanding, they've already fired 720 employees at the SBA. 20 percent of the workforce has already been laid off, and this includes those focused on disaster recovery such as victims in North Carolina and California. As these small businesses seek to rebuild, they're laying off the SBA personnel who would be able to hear them listen to their claims.

DOGE is also closing SBA district offices to cut costs, including in Springfield, Massachusetts. We had a witness here from Springfield, Massachusetts just three weeks ago. Well, they've closed down that office now where that would've been processed. This will make it harder for local small business owners to get help from a real-life human being. On top of this, SBA also announced they would relocate six regional offices, including the Boston location, over unfounded immigration issues.

Administrator Loeffler has not provided Congress with any information about these activities. We don't know who has been fired.

We don't know which offices will remain open. And we certainly don't know how many small businesses have been left without services because of the sudden unprecedented slash and burn tactics.

Today, the committee is meeting to consider the nominations of Mr. Bill Briggs to be SBA deputy administrator and Dr. Casey Mulligan to be chief counsel at SBA's Office of Advocacy. Mr. Briggs served as the acting associate administrator during the first Trump administration, and worked on the Paycheck Protection Program in 2020, which provided needed relief to American small businesses during the pandemic and serves as a shining example of what Congress can do when we work together.

Traditionally, Mr. Briggs would report to the SBA administrator and carry out day-to-day operations, but until this committee gets answers about DOGE operations at SBA, I believe considering this nominee is premature. Senator Shaheen requested a briefing on DOGE inside the SBA in this committee four weeks ago, just so the committee can understand what's going on.

And I'm disappointed that the Trump administration still has not complied. We haven't had any DOGE people come in to brief us. What are they doing inside the SBA? We're the committee of jurisdiction. We're the committee that created it. Will DOGE please tell us what they're doing next.

We're considering Dr. Casey Mulligan. Dr. Mulligan has been nominated to oversee the Office of Advocacy; an independent agency within SBA charged with advancing the views, concerns, and interests of small businesses before the federal government. The beauty of this office is its independence. It is statutorily required to operate separately, not only from SBA, but from the White House. That's statutorily. However, DOGE has already infiltrated the Office of Advocacy and threatened its independent status.

Separately, I am concerned about Dr. Mulligan's potential approach to this role. Dr. Mulligan is an economist at the University of Chicago, a widely respected institution. But based on his work, I believe his views about regulations lie far outside the mainstream. He questions policies most Americans take for granted; a minimum wage, paid sick leave, reasonable limits on pollution and rules that prevent insurers from discriminating against people with preexisting conditions. Without such policies, we would be taken back to a Dickensian world with no worker, environmental, patient, or consumer protections.

Regardless of who is President, every entrepreneur should be able to rely on SBA to help them start and grow their business. We must return to this principle and be dependable for the 34 million American small businesses that run our country. Unfortunately, I do not think that is the goal which Elon Musk and President Trump have for our country. So, Madam Chair, I yield back.

CHAIR. Yeah. Thank you, Ranking Member Markey. And as noted by Senator Markey on February 12th at our hearing, Senator Shaheen did request an update from DOGE at the SBA, and I have made that request. The two gentlemen in front of us today, though, are not part of the SBA yet. We hope to confirm them very soon, but we have made the request, Senator Markey, and hopefully we will have a DOGE briefing soon for the Committee members.

But I would like to now take a minute to introduce both of our nominees. And first we will start with Mr. William Briggs, who is the nominee for Deputy Administrator of the SBA. Originally from New York, Mr. Briggs currently lives in Austin, Texas, where he acts as the Director of Regulatory and Federal Advocacy for the Independent Bankers Association of Texas.

Previously, he served as the Acting Associate Administrator in the SBA's Office of Capital Access and was instrumental in the rollout of PPP during the first Trump administration. Mr. Briggs also served as the Director for the Office of Public Outreach in the U.S. Environmental Protection Agency under President George W. Bush. Additionally, Mr. Briggs has owned two small business consulting firms. Mr. Briggs received his undergraduate degree from the University of Michigan.

And next, we have Dr. Casey Mulligan, who is the nominee for Chief Counsel for Advocacy. Dr. Mulligan grew up in Illinois, and is currently a professor at the University of Chicago, specializing in labor economics, public policy, and the impacts of regulation on economic behavior.

During the prior Trump administration, he served as Chief Economist for the White House Council of Economic Advisors, where he played a key role in important policy discussions. Dr. Mulligan also owns two small businesses focusing on consulting and economic research. Dr. Mulligan received his Bachelor of Arts from Harvard University, and earned his PhD in economics from the University of Chicago. Again, we thank both nominees' families and friends for being here today.

Now, Mr. Briggs and Dr. Mulligan, if you would both rise, please. It is the tradition of our Committee to swear in our nominees. So, please raise your right hand and answer the following questions. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRIGGS. I do.

Dr. MULLIGAN. I do.

CHAIR. Should you be confirmed as Deputy Administrator of the SBA and Chief Counsel for Advocacy at SBA, are you willing to appear and testify before any duly constituted Committee of Congress when requested to do so?

Mr. BRIGGS. Yes.

Dr. MULLIGAN. Yes.

CHAIR. Are you willing to provide such information as is requested by any such Committee?

Mr. BRIGGS. Yes.

Dr. MULLIGAN. Yes.

CHAIR. Yes. Thank you, both, very much. You may take your seats. So, very briefly, I'd like to take a moment to explain our lighting system that is right in front of you. There are three lights. Green means go, yellow means you're running out of time, and red means to go ahead and wrap up your remarks. And I ask unanimous consent that the nominees' full statements be included in the record. Without objection, so ordered.

As your written testimony has been made part of the record, the Committee asks that you limit your oral remarks to five minutes.

Mr. Briggs, you are now recognized for five minutes for your testimony.

TESTIMONY OF MR. WILLIAM BRIGGS OF TEXAS

Mr. BRIGGS. Thank you, Chair, and thank you Ranking Member Markey, and distinguished members of the Committee. My name is Bill Briggs, and it is a great honor to appear before you today as President Trump's nominee for Deputy Administrator of the Small Business Administration.

I'm grateful the President Trump for offering me the opportunity to again serve America's 34 million small businesses, which are the backbone of our economy, the lifeblood of our communities, and the engine of innovation prosperity. As goes small business in this country, so goes our nation. I'd like to briefly acknowledge my friends and family are here today, including my parents, Bill and Dodie.

I would also like to thank Administrator Loeffler for her support. There's no stronger advocate for American small businesses, and already SBA is seeing a restoration under her leadership. Finally, I want to thank God for everything, especially the challenges which make me rely on Him.

During President Trump's first term, our nation's economy was the envy of the world. Job creators and job seekers alike were empowered, driving small business formation in a blue-collar boom through historic tax cuts, fair trade deals, and deregulation. His agenda had created 7 million new jobs, delivered his historically low poverty and record employment for minority communities. Indeed, small business optimism has surged since the November election because America's entrepreneurs know help is on the way.

If confirmed, this will be my third time as a Presidential appointee, and Administrator Loeffler will be the fourth cabinet-level administrator that I will have had the opportunity to serve. During my prior service at SBA, I oversaw the day-to-day operations of the Paycheck Protection Program, which helped to save 11 million small business jobs. I hope to leverage a wealth of institutional knowledge and lessons that will enable me to hit the ground running, if confirmed.

I bring to the role over two decades of public service and private sector experience. My first job out of college was in state government, working on veterans' affairs and local economic development issues. From there, I've served in senior roles at industry, trade associations interspersed with two Presidential appointments.

During the last Trump administration, I served as the Acting Associate Administrator in the Office of Capital Access, where I oversaw all SBA lending programs. I also served as an advisor to the Administrator on engaging small businesses during this crucial time in the agency's history. Finally, I led internal agency reform efforts, including the SBA field alignment and rebranding initiatives launched under then Administrator, Linda McMahon.

Like many Americans, my belief in the power of small business is personal. My family is steeped in service to our country as much as the spirit of entrepreneurship. Both of my grandfathers served in World War II, and my mother, who's here today, was an Army nurse. And two of my brothers served overseas in our armed forces.

Two of my sisters currently run a small business today, and I have owned and operated two small businesses myself.

My sister Katie owns a small landscape design company and often shares how excessive regulations, including extensive environmental permits, take up her time, drive up her equipment costs, and hamper her ability to serve her clients. She's forced to either cut back on employees, reduce her services, or cut into her own bottom line. Her story is the story of millions of small businesses who have been put under the enormous strain over the last four years with excessive regulation, crushing inflation, and big government bureaucracy.

Our private sector hiring, though beginning to recover under President Trump, has declined for over a year. And if we are to bring back jobs and ensure that the economy continues to grow, we must first unshackle and support free enterprise. One of the ways to do that is to ensure that SBA is effectively serving small business by cutting regulation, eliminating fraud and waste, streamlining and modernizing services, and refocusing the agency on its core missions of helping entrepreneurs thrive.

With the America First agenda, we are poised to unlock a new era of growth and opportunity for the risk-takers, job creators, and innovators who power this nation's economy. If confirmed, I look forward to supporting President Trump and Administrator Loeffler to ensure SBA programs deliver results, real results, for Main Street and all of America.

Chair Ernst, Ranking Member Markey, and members of the Committee, thank you for your dedication to U.S. small businesses. I welcome your questions, and would be honored to earn your support to serve as the next Deputy Administrator of the Small Business Administration.

[The prepared statement of Mr. Briggs follows.]

Bill Briggs
 Nominee
 Deputy Administrator, Small Business Administration

Chair Ernst, Ranking Member Markey, and distinguished Members of the Committee. My name is Bill Briggs and it is a great honor to appear before you today as President Trump's nominee for Deputy Administrator of the Small Business Administration.

I am grateful to President Trump for offering me the opportunity to again serve America's 34 million small businesses, which are the backbone of our economy, the lifeblood of our communities, and the engine of innovation and prosperity.

I would also like to thank Administrator Loeffler for her support. There is no stronger advocate for small businesses – and already, SBA has seen a restoration under her leadership. Finally, I want to thank God for everything, especially the challenges which make me rely on Him.

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If confirmed, this will be my third time as a presidential appointee, and Administrator Loeffler will be the fourth Cabinet-level Administrator that I will have the opportunity to serve. During my prior service at SBA, I oversaw the day-to-day operations of the Paycheck Protection Program, which helped to save 11 million small business jobs. I hope to leverage a wealth of institutional knowledge – and lessons – that will enable me to hit the ground running if confirmed.

I bring to the role over two decades of public service and private sector experience. My first job out of college was in state government working on veteran affairs and local economic development issues. From there, I have served in senior roles at industry trade associations interspersed with two presidential appointments.

During the last Trump Administration, I served as the Acting Associate Administrator in the Office of Capital Access, where I oversaw all SBA lending programs. I also served as an advisor to the Administrator on engaging small business organizations during this crucial time in the agency's history. Finally, I led internal agency reform efforts including the SBA Field Alignment and rebranding initiatives launched under then Administrator Linda McMahon.

Like many Americans, my belief in the power of small business is personal. My family is steeped in service to our country as much as its spirit of entrepreneurship – and I'm proud to be joined today by my parents and family members. Both of my grandfathers served in WWII, my mother was an army nurse, and two of my brothers served overseas in our armed forces. Two of

my sisters run a small business today and I have owned and operated two small businesses myself.

My sister Katie owns a small landscape design company and often shares how excessive regulations, including extensive environmental permits, take up her time, drive up equipment costs, and hamper her ability to serve her clients. She is forced to either cut back on employees, reduce her services, or cut into her own bottom line. Her story is the story of thousands of small businesses who have been put under enormous strain over the last four years with excessive regulation, crushing inflation, and big government bureaucracy.

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With the America First agenda, we are poised to unlock an entirely new era of growth and opportunity for the risk takers, job creators, and innovators who power this nation's economy. If confirmed, I look forward to supporting President Trump and Administrator Loeffler to ensure SBA programs deliver real results for Main Street – and all of America.

Chair Ernst, Ranking Member Markey, and Members of the Committee: thank you for your dedication to U.S. small businesses. I welcome your questions and would be honored to earn your support to serve as the next Deputy Administrator of the Small Business Administration.

CHAIR. Thank you, Mr. Briggs. And Dr. Mulligan, you are now recognized for five minutes for your testimony.

TESTIMONY OF DR. CASEY MULLIGAN OF ILLINOIS

Dr. MULLIGAN. Chair Ernst, Ranking Member Markey, distinguished members of the Committee. Thank you for the opportunity to appear before you today. My wife, Julia, and three of our children, have joined us to witness part of the system of checks and balances. I appreciate their support and sacrifices, as Dad served and hopes to serve again.

I'm grateful and honored by President Trump's nomination for the Chief Counsel position of the Office of Advocacy at the SBA and to join the President's team committed to replacing government overreach with common-sense leadership.

I have always lived in Illinois, with the exception of five years living in the Ranking Member's state, and one year here in Washington. After I was about three years old, my parents' sole source of income was the small software business that my father founded and managed with a partner. My uncle also worked most of his career at that business. My mother and I worked there at times.

In my current capacity as the owner of small businesses, I am too familiar with uncompromising regulators. Agencies can shutter businesses or short of that, cause them to throw up their hands in exasperation and sell out to a big corporation.

I file at least 10 payroll tax forms every year. It seems like as soon as one is mailed out, the IRS is asking for another with a check attached, of course. I got one of my biggest accounting bills ever a few months ago to comply with Treasury's beneficial ownership interest requirements. Considering the relief that President Trump just delivered on that, maybe it wasn't necessary, but at the time, the Treasury was threatening all of us small businesses with monetary and criminal penalties.

Much of my career has challenged regulatory overreach and uncovered unnecessarily onerous rules. One of my early projects was commissioned by family farmers in central Illinois. They needed to look at the economic effects of eminent domain because the state was using that authority for private purposes. I testified about that at the Illinois Commerce Commission.

My late father-in-law started an oyster farm, now run by our nephew. Uncompromising regulators loom even larger there, always shifting attention away from the shellfish and toward the customers by hiring lawyers and experts. Once, the farm had to prove that the regulators don't know how to measure nitrogen. Another time, it was to refute the government's false claim that the land under the water is not our land.

I strongly support Congress's approach of creating an independent Office of Advocacy and other elements of Regulatory Flexibility Act to ensure that concerns of and costs imposed on small businesses receive meaningful weight in regulatory decisions.

While the RFA exists on paper, too often small businesses are getting ambushed. Too many rules are imposed without engaging or even notifying them. The RFA has rules for regulators to follow, but often, their attitude is "Rules for thee, but not for me".

President Trump does not tolerate two-tiered systems. The law requires keeping businesses in the loop. It requires reviewing the old rules for their effect on small businesses. Agency compliance with the RFA does not necessarily need many resources, particularly when there is an advocacy office. They're ready to help, supported by Congress and the White House.

By ensuring that the Chief Counsel position is filled for the first time in many years, the members of this Committee can fully restore small business advocacy and RFA watchdog functions that it created in its statutes and small businesses deserve.

Small businesses also need regulatory solutions that last beyond a single presidential cycle. They appreciate that the 115th Congress and President Trump used the Congressional Review Act a record number of times, and this Congress has gotten off to an even faster start.

If confirmed, I look forward to working with this Committee and anyone else in Congress developing legislation to help agencies achieve their missions at less costs to small businesses. I also pledge to keep you apprised of the concerns expressed during the regional outreach process.

I thank the Committee for its consideration. I welcome your questions, and would be honored to earn your support to serve as the next Chief Counsel of the Office of Advocacy at the SBA.

[The prepared statement of Dr. Mulligan follows.]

Casey Mulligan
 Professor of Economics, The University of Chicago
 Nominee, Chief Counsel of the Office of Advocacy at the Small Business Administration

Chair Ernst, Ranking Member Markey, distinguished members of the committee: thank you for the opportunity to appear before you today. My wife Julia and three of our children have joined us for a front-row view of part of the system of checks and balances. I appreciate their support and sacrifices as Dad served, and hopes to serve again, in government during such partisan times in our nation's history.

I'm grateful and honored by President Trump's nomination to join a team committed to replacing government overreach with common-sense leadership.

I have always lived in Illinois, except for 5 years living in the ranking member's state and one year here in Washington. After I was about three years' old, my parents' sole source of income was the small software business that my father co-owned and managed. My uncle also worked most of his career in that business. My mother and I worked there at times.

In my current capacity as the owner of small businesses, I am too familiar with uncompromising regulators. Agencies can shut down businesses, or short of that, cause exasperated owners to hand things over to a big corporation.

I file at least 10 payroll-related forms annually. It seems like as soon as one is mailed out, the IRS wants another one. With a check attached, of course.

I got one of my biggest accounting bills ever to comply with Treasury's Beneficial Ownership Interest requirements. Considering the relief that Treasury just put in place, maybe that wasn't necessary, but previously all of America's small businesses were threatened with monetary and criminal penalties.

One of my early projects was commissioned by family farmers in Central Illinois. They needed a look at the economic effects of eminent domain because the state was using that authority for private purposes. I testified about that at the Illinois Commerce Commission.

My late father-in-law started an oyster farm, now run by our nephew. Uncompromising regulators loom large there, always shifting attention and resources away from the shellfish and the customers toward hiring lawyers and experts. Once, the farm had to prove that the regulators don't know how to measure nitrogen in the water. Another time, it was to refute the government's false claim that the land under the water is not our land.

I have met and listened carefully to the advice and insights of every Chief Counsel from the past 30 years. If confirmed, my priorities for the Office of Advocacy are three. The first is to listen to small businesses, especially with Advocacy's Regional Outreach office. Second, monitor and

enhance agency compliance with the Regulatory Flexibility Act. Third, produce and curate data on small businesses through the Office of Economic Research.

Rigorous measurement of economic activity broadly, and the small-business situation specifically, is something I have done throughout my career as an economics professor. I have also published extensively on regulatory economics. Congress itself calls for economic expertise at the Office of Advocacy by designating the first of its primary functions to examine “the contribution which small business can make in improving competition, encouraging economic and social mobility for all citizens, restraining inflation, spurring production, expanding employment opportunities, increasing productivity, promoting exports, stimulating innovation and entrepreneurship....” 15 USC 634b(1).

I strongly support Congress’ approach of creating an independent Office of Advocacy and other elements of the Regulatory Flexibility Act to ensure that concerns of, and costs imposed on, small businesses receive significant weight in regulatory decisions. Advocacy’s Regional Outreach is vital because the power to regulate is centralized in Washington, but knowledge about constituents’ circumstances lies outside that bubble.

While the RFA exists on paper, too often small businesses are getting ambushed. Too many rules are imposed without engaging or even notifying them. The RFA has rules for regulators to follow, but often their attitude is “Rules for THEE but not for ME.”

The law requires keeping small businesses in the loop. It requires reviewing old rules for their effect on small business. Agency compliance with the RFA does not need many resources, particularly when there is an Advocacy Office ready to help, supported by Congress and the White House.

There is a misconception, founded on the notion that America’s elite knows what’s good for the rest of us, that listening to small entities runs counter to health and safety. Regulated entities have valuable situational knowledge that, when considered, can enhance health and safety.

Small businesses also need regulatory solutions that last beyond a single presidential term. They appreciate that the 115th Congress and President Trump used the Congressional Review Act a record number of times. This Congress has gotten off to an even faster start. For my part, I look forward to working with this committee and anyone else in Congress developing legislation to help agencies achieve their missions at less cost to small businesses. I also pledge to keep you apprised of the concerns expressed during the regional outreach process.

I thank the committee for its consideration. I welcome your questions and would be honored to earn your support to serve as the next Chief Counsel of the Office of Advocacy at the SBA.

CHAIR. Wonderful. Thank you, Dr. Mulligan, and Mr. Briggs, for your testimony.

Before we move to questions, the Committee has received several letters of support for Mr. Briggs and Dr. Mulligan's nominations. And I ask for unanimous consent to enter into the record letters of support.

For Mr. Briggs, letters of support from: The National Restaurant Association, Independent Community Bankers of America, National Small Business Association, National Association of Government-Guaranteed Lenders, International Franchise Association, Texas Association of Business, Independent Bankers Association of Texas, Texas Venture Alliance, Economic and Community Development Institute, The Association of Women's Business Centers, Visiting Angels, Small Business Multi-Cloud Coalition, and U.S. Black Chambers.

For Dr. Mulligan, letters from: The National Small Business Association, Small Business and Entrepreneurship Council, International Franchise Association, a joint letter from Tom Sullivan, SBA's Chief Counsel for Advocacy from 2002 to 2008 and Winslow Sargeant, SBA's Chief Counsel for Advocacy from 2010 to 2015, and a letter from Darryl DePriest, SBA's Chief Counsel for Advocacy from 2015 to 2017.

Without objection, so ordered.

CHAIR. I will now recognize myself for five minutes of questions. So, we'll start with you, Mr. Briggs. During your service in the previous Trump administration, you had direct insight into the Covid EIDL and PPP. As you know, both programs have suffered from a lack of transparency and experienced over \$200 billion in fraud. These same problems plague many of SBA's loan programs as I highlighted during last month's hearing on the 7(a) loan program. If confirmed, do you commit to providing the Committee with comprehensive and current information on how SBA's loan programs are performing?

Mr. BRIGGS. Chair Ernst, thank you for that question. I'm tremendously proud of my service, particularly with the Paycheck Protection Program and the EIDL program. I believe they did an incredible job of helping to preserve American small business jobs at the worst economic crisis since the Great Depression.

However, as you have noted, there is way too much fraud in these programs or was too much fraud. And part of that, particularly with PPP, some of that was statutory-mandated guardrails that had to be let down by law. But when I was Acting Associate Administrator, we implemented upfront checks that reduced a lot of that fraud.

Since that time, I understand that there have been more upfront checks and identity verification procedures introduced. However, should I be confirmed, I will continue to focus on cracking down on fraud in the current programs and have a zero-tolerance approach to fraud going forward.

CHAIR. Very good. I appreciate that because I am worried that the 7(a) loan program could require an appropriation if those defaults are too high without enough fee revenue to offset the losses that we have experienced. Will you commit to reviewing the loan portfolios and make necessary policy changes to avoid taxpayers

footing the bill wherever that may lead, including tightening up eligibility?

Mr. BRIGGS. Thank you, Chair Ernst. Yes. The 7(a) program right now is cashflow for the negative for the first time in 12 years. It was noted in the hearing three weeks ago. It's a serious problem and one that ultimately ends up hurting access to credit for all small businesses. I'll work with Administrator Loeffler, the Associate Administrator of Capital Access, and all of the relevant SBA staff to make sure that we're doing everything we can to put that program back to its historical position of being having a neutral subsidy where the taxpayers aren't taxed to run the program.

CHAIR. Very good. No, thank you. And what, in your experience, were the pitfalls of SBA's Covid programs.

Mr. BRIGGS. Chair, the I've spent the last four years thinking about lessons learned from that experience. It was an unprecedented time, as every member of this Committee knows. And as Ranking Member Markey did know, we did come together to work on this at a perilous time in our nation's history.

I would say the first thing is not to shut down the entire economy and then hope that something like SBA can solve the problem. I think that if that situation will ever happen again, hopefully we do have more forethought. I also think that something, again, like upfront identity checks and verification. And also, being much more clear about eligibility guidelines going forward are all things we really need to do in both our capital access and disaster loan programs.

CHAIR. Right. Very good. I appreciate that. And we'll go to Dr. Mulligan next. And as I've noted Dr. Mulligan, under the prior administration, small businesses across the country were burdened with a \$1.8 trillion regulatory onslaught, and over 350 million hours of paperwork.

While the Regulatory Flexibility Act requires agencies to consider how their regulations impact small businesses and look to evaluate less burdensome alternatives, agencies have not followed the law. So, I did re-introduce the PROVE IT Act to require that agencies evaluate the true cost of regulations and to empower Advocacy's role to make an agency prove the regulation is necessary, and mitigate against cost and compliance burdens for small businesses.

Do you support increasing transparency and accuracy in the cost to benefit analysis aspect of SBA's rulemaking process?

Dr. MULLIGAN. Absolutely.

CHAIR. Easy. Do you agree agencies have failed to properly consider the indirect costs of their regulations?

Dr. MULLIGAN. Almost all of them that I've looked at have been pretty weak on considering those costs.

CHAIR. If confirmed as the Chief Counsel for Advocacy, will you commit to properly evaluating agency rulemaking for both its direct and indirect impact on small businesses?

Dr. MULLIGAN. I commit to do that.

CHAIR. Thank you. And you supportive of the PROVE IT Act?

Dr. MULLIGAN. Yes, I support the PROVE IT Act.

CHAIR. And right on time. My time is expired. Ranking Member Markey.

Senator MARKEY. Thank you, Madam Chair.

Dr. Mulligan, the Office of Advocacy sits within the SBA, but the chief counsel is statutorily independent from the SBA administrator. And your work is by statute not permitted to be submitted to the Office of Management and Budget, or to any other federal agency, or any executive office. That includes, again, OMB. You can't share information with OMB. You expressed to my staff that you take that independence seriously.

However, we know that Elon Musk's minions have already had conversations with leadership at the Office of Advocacy. Can you commit to the committee that you will refuse to take instruction from DOGE or from the administration so that you are in compliance with the statutory mandate?

Dr. MULLIGAN. Thank you for your question, Senator. I support President Trump's goal of making government more efficient. He wanted a mandate in the election to do exactly that. If you look—

Senator MARKEY. But he did not win a mandate to violate statutes. He said he was going to follow the law. So, the law says that you cannot share information. Are you going to abide by that law?

Dr. MULLIGAN. If you look at Advocacy's charter statute and how it's changed over time, it's clear that, number one, Advocacy has a special hiring authority, as you said. And number two, as you said, the authority lies with the Chief Counsel.

Senator MARKEY. So, again, I'm going to read you the statute again. Your work is by statute not permitted to be submitted, "to the Office of Management and Budget, or to any other federal agency, or any executive office." Do you agree to abide by that law? Will you abide by that law?

Dr. MULLIGAN. Yeah. And all the statutes related to the office. I will abide by the—

Senator MARKEY. So, you will not share that information with any other agency? Is that what you're saying?

Dr. MULLIGAN. That's correct. The reports are supposed, according to statute, and would be my practice, submitted to the Congress and to the President.

Senator MARKEY. Okay. What do you believe is your role in ensuring that congressional mandates are followed regardless of executive directives? Do congressional mandates take primacy if they're there as the abiding law?

Dr. MULLIGAN. Thank you for your question. I'm not sure I understand the question. Are you referring to Executive Orders?

Senator MARKEY. The question is, do you believe that statutes that have been put on the books by House and Senate votes and signed by Presidents take precedence over executive directives?

Dr. MULLIGAN. I'm confused by the question because I even—I served in the first Trump administration, and I've followed the second one and there are lots of Executive Orders. Every single one I've looked at, the primary instruction in those Executive Orders is for the people reading it to follow the laws of the United States.

Senator MARKEY. Right. So, you are saying that if there is a statute, that you will abide by that statute and not allow for an executive order?

Dr. MULLIGAN. Yes, I would do that. And I would expect, as President Trump has done almost 300 times in the past, to tell me to follow the laws of the United States.

Senator MARKEY. All right. Well so you do believe statutes then are at a higher order than executive orders in terms of what you must obey?

Dr. MULLIGAN. I'm confused because the Executive Orders themselves say to follow the laws of the United States. So, I don't see the conflict.

Senator MARKEY. All right. Well, sometimes, Presidents when they're making executive orders believe that they're the law, even though there's a statute which is very clear as to what the law is. So, that's the point that I'm making to you. And I will be holding you to that standard.

Will you use loyalty tests, Mr. Mulligan, or any other criteria unrelated to an employee's work product when making hiring or firing decisions?

Dr. MULLIGAN. Thank you for your question. The Advocacy Officers were created, and if I were confirmed would be my goal as well, to be an independent voice for small business in Washington. So, the hiring decisions, procurement decisions, all the decisions will be around how can we better be an independent voice for small business with the agencies here in Washington.

Senator MARKEY. Okay. And have you met with the team at Advocacy yet?

Dr. MULLIGAN. I have not been in the building. They have a—I think we call it a Sherpa, who's helped me find my way to your office and the different Senator's offices for the meetings. But I have not met the staff yet.

Senator MARKEY. We've heard stories of specific industries meeting at Mar-a-Lago and getting special treatment from the administration. Do you agree that that creates market distortions when special treatment is handed out and it's not an even-handed application of the law?

Dr. MULLIGAN. I'm a little confused by the question. I haven't been to Mar-a-Lago. I'm not sure what businesses are going there, what conversations are had. I'd be glad to look in detail at what you're referring to. But in the abstract, I don't really understand the question.

Senator MARKEY. Well, it's very clear that if someone visits Mar-a-Lago, and then the President says give special treatment to one particular company, that would obviously begin to create a market distortion because it would not be an equal application of the law that the SBA is supposed to be discharging.

Dr. MULLIGAN. I'm also confused by that. I apologize. I'm confused by that question, too, because you gave legal terms in there and then economic terms like market distortion. I'm not quite sure the connection. I'm not a lawyer. I do understand the idea of market distortions. I've read many, many articles about market distortions. I'm not quite how sure how they apply in the situation you're describing.

Senator MARKEY. Thank you, Mr. Chair.

Senator HUSTED [presiding]. Thank you, Ranking Member Markey. So, I'm going to recognize myself now as the acting Chair on behalf of Chair Ernst for five minutes to ask a few questions.

I want to start with this, you know, the Small Business Administration. I'll start with you, Mr. Briggs. And by the way, I hold no

grudge to the fact that you're a Michigan grad as a Senator from Ohio. I remember asking a college president one time about this university that he was running, and I said can you tell me what the three things that you're really good at? And he told me five things at the university, maybe six things that the university was really good at. And I said, well, what are some of the things that you're maybe not really good at that maybe you shouldn't be doing anymore? And he couldn't come up with a one, right?

Well, we do everything really well. Well, nobody, no institution is great at everything. And there's some things that they've discovered over time that they have great value in. And then there are things that maybe they say, well, you know, maybe we ought not do that anymore. Maybe there's something better that we could do with those resources.

So, based on your experience and your knowledge of the agency, reflecting on the nature of that question, what is it that the SBA does that's great, and what might we rethink, prioritizing resources around that we could do better?

Mr. BRIGGS. Senator, thank you for your question. And I do accept that Ohio State won the National Football Championship. [Laughter.]

Mr. BRIGGS. Here's what SBA does well, and what the focus, if I'm confirmed, is going to be; doing its core mission well, what I call the three C's and D. Access to capital, contracting, and counseling small businesses to grow. The other important feature of that is the disaster function. And we've been there as we were five years ago during the Covid pandemic, but to make sure we're also there now when disaster strikes across the country. Those are things that the agency can and should do well and will be the focus, should I be the Deputy Administrator.

The things the agency does not do well are things like direct lending, voter registration efforts, and picking winners and losers. That should not be the focus of the agency when it comes to its programs and policies, but rather ensuring that all of those four core missions that I described are available and accessible to all Americans.

Senator HUSTED. So, on the final point of the things that it doesn't do well, is it required to do that in statute anywhere?

Mr. BRIGGS. Senator, I actually have been reading the Small Business Act at night because I haven't been able to sleep in advance of this hearing. I can't find that. I do think there are programs in the government contracting area that work with socially disadvantaged, but that's a separate thing from what we historically are now referred to as DEI programs. I'm not aware of that.

Senator HUSTED. So, I would assume then with the Administrator's support that you will no longer be doing those things that the agency in the past has been doing, but has no statutory responsibility to accomplish.

Mr. BRIGGS. Senator, if I'm confirmed, I will follow the law and focus on the core agency missions of access to capital, contracting, counseling, and disaster response.

Senator HUSTED. Okay, great. Mr. Mulligan, do you have thoughts on any of those questions?

Dr. MULLIGAN. Thank you for your question. The Advocacy office is a fairly small office. About 50 people. Has a fairly tight range of responsibilities that Congress has signed to it. And as far as I can tell, they've been executing those responsibilities and not going outside those boundaries.

Mr. BRIGGS. Great.

Senator HUSTED. Thank you. Mr. Briggs, just another thought. Part of my previous responsibilities before becoming a U.S. Senator, I was very involved in economic development and supporting entrepreneurs through venture funds, and securing IP, and things like that for entrepreneurial ventures.

I've rarely bumped into an entrepreneur who's told me that they need the government involvement in much of what they do. They normally talk about the things that government does that are in conflict with what entrepreneurs want to do.

And so, in your experience with small businesses and entrepreneurs, what are the things that they most note about the fact? Because you're a government agency designed to help businesses, yet most businesses will complain about government standing in its way. What are some of the things that you've encountered that businesses most commonly tell you, particularly small businesses, that are problematic for them?

Mr. BRIGGS. Senator, over the last four years, I've worked and counseled everything from venture-backed startups to what we would call mom-and-pop shops. And almost across the board, they're not aware of the breadth and depth of regulations that they have to follow, that they had no idea about.

And especially with venture backed businesses, particularly in the financial technology arena, the amount of regulation just to get to a minimum viable product is unprecedented. And they just don't even understand sometimes what to do regardless of the great resources that SBA can provide, including counseling or access to capital.

Senator HUSTED. So, one of the things I think this committee would find of value is that as you are out there with counselors and capital and talking with small businesses, if you could compile a list for us of the kinds of common concerns that businesses are identifying that they could use relief. That actually, we don't need government money, we don't need government help, we need government relief, relief from those regulations, relief from the things that get in their way. And I think one of the things would be very valuable, at least I would think it would be of value to me, is for SBA to identify those things that are commonly discussed by the businesses that you're trying to help as impediments to their success.

So, instead of all the things that government can do for people, how about the things that government can stop doing to them that stand in the way of their success? And would you. Would you commit to working to accomplish that?

Mr. BRIGGS. Senator, I will commit to working with that, particularly with SBA's Office of the Ombudsman.

Senator HUSTED. Great. Thank you. Now I would like to recognize Senator Cantwell for five minutes.

Senator CANTWELL. Thank you, Mr. Chairman. Thank you so much. Welcome to the nominees for your positions. And I know that you probably have given a statement that I haven't been able to read yet, so we'll look at that.

But I wanted to ask you about this pressing issue on tariffs. First, Dr. Mulligan, do you think that the President's tariff first approach is helpful to small business? Can you describe the impact of tariffs on Mexico and Canada, two of our largest trading partners, what you think that would have on small businesses?

Dr. MULLIGAN. Thank you for your question. It is good to see you again. Trade policy absolutely must consider the concerns of small businesses, and Congress created an independent office to advocate for them. President Trump, more than any President in U.S. history, has prioritized getting that Chief Counsel position filled. If it goes unfilled too long, we could be in a position where it's mainly the big companies that are heard around trade policy rather than the small ones.

Senator CANTWELL. Okay. Did you have—oh, so you think, in general, because there's less flexibility of maneuvering, you're saying it could be a bigger concern?

Dr. MULLIGAN. And also, that their voice in Washington is weak without having an office like Advocacy at full capacity and full efficiency.

Senator CANTWELL. And what do you think that we should be doing to communicate about the impact of, of tariffs on those small businesses?

Dr. MULLIGAN. One thing very important, maybe the primary thing that the Office of Advocacy does, is go out to the small businesses where they are. They don't require them to know what phone number to call or where, where to visit in Washington, what door and what elevator to use. Go out to them. Often, sometimes in virtual mode as well, especially for the rural. And listen, just listen, write down and come back to the makers of the policy, which trade policy or other agencies, and tell them, hey, here's the concerns that we heard from our businesses. And the RFA requires you to consider those concerns when you make your policy decision.

Senator CANTWELL. Thank you. Mr. Briggs, do you have any comments?

Mr. BRIGGS. Thank you, Senator Cantwell for the question. I just would note that from my understanding of the tariff proposal, part of that is to bring back onshore manufacturing to this country. We've seen some initial indicators based on employment numbers that 11,000 manufacturing jobs in the last or the previous month were started. I do think that this is part of a larger effort to ultimately do that to bring back manufacturing to the country.

Senator CANTWELL. Well, I definitely agree with you on the manufacturing jobs, and I would say to my colleague from Ohio, who was ably chairing the meeting, that I'm very concerned because I think that we have brought back jobs in manufacturing, jobs into the United States because of the CHIPS and Science Act.

So, the President right now, it's a different story, but is saying, you know, maybe he wants to get rid of that. I would say for places like Ohio, and Arizona, and Texas, it has absolutely brought manufacturing back. And in the State of Washington, it's brought manu-

facturing back. Why we should care is because manufacturing jobs help people go from working class to middle class because they're good paying jobs, and they help small businesses in that region help build an ecosystem.

So, I do think the President's statement that somehow, he could have gotten the semiconductor industry to come back and manufacture in the United States by tariffs. I don't agree with that. We may have a philosophical difference there. But the point is that I hear so many people saying that we haven't grown manufacturing jobs in the Biden administration because of those policies did grow manufacturing jobs. So, now the question is how do we could put pedal to the metal and keep growing it?

And one of the things that I think a lot of people have been discussing is how can the policies of the small business in this administration with access to capital and targeting some of these supply chain issues, give the American economy a leg up. So, for example, in my state, we have a lot of—three different fusion companies. Now we'll see if fusion technology is really here today, Senator Risch and I chair a Fusion Caucus. Well, it's a group that's made recommendations to the United States about how we would accelerate.

But when you think about CHIPS and Science, it's about let's get the test bedding done, let's get the next generation done, and then let's make sure we have the supply chain to accelerate. And if we can just accelerate now, whether it's Fusion or something else, let's start working with our supply chains and small businesses so that they are providing those products here in the United States. And so, I just want to—do you think that's a smart strategy?

Mr. BRIGGS. Senator, thank you for your question. And I assume you're addressing me not Dr. Mulligan?

Senator CANTWELL. Yes. Because of your deputy administrator.

Mr. BRIGGS. Yeah. I generally support your remarks that manufacturing can start a small business ecosystem. My focus, if I'm confirmed, is to help bring back that manufacturing renaissance, but also to make sure that SBA's core programs function as best as possible to serve those small businesses that might come about from a manufacturing renaissance under the Trump administration.

Senator CANTWELL. Yeah. My statement was just a little different. It said that the test bedding of next generation technology, the CHIPS and Science Act, is about speeding up the advancement of technology to happen faster than it normally would because these big companies or large organizations may not have the money to do the kind of research, to do the actual test bedding. But once the test bedding's done, it's like we're off to the races. Okay, now, how do we continue to lead?

And I think it's not that manufacturing would draw the supply chain or this, you know, eco it is what could SBA do to help build, help build that and be cognizant of those opportunities. And so, I do think that when you think about the AI situation—oh, my gosh, my time's almost over, Madam Chair. So, but you think about what happened with chat GPT, here we go. We basically demonstrated a major milestone that that happened in AI. And then, imme-

diately, China goes and tries to knock off one aspect of that on how to do it in a cheaper fashion.

So, I think hand in hand with being the leaders in technology and innovation is then how do we continue to lead on the small business and supply chain side of getting those products and resources there so that ecosystem can be more aggressively grown. I do think that our great prowess as a nation is to outpace other countries on the R&D and implementation.

So, anyway, thank you so much. I will have some more questions for the record, but thank you so much.

CHAIR [presiding]. Thank you, Senator Cantwell.

And I'll do a second round of questions. And I do know that Ranking Member Markey will be back and have additional questions as well as a closing statement. So, we'll go back to Mr. Briggs. Last year, SBA failed to alert or provide the Committee with any information before the agency ran out of funding for its disaster assistance program.

Administrator Loeffler committed to ensuring Congress has transparent and timely information from SBA during her confirmation hearing. Can you additionally confirm that SBA will keep Congress informed of any changes in SBA's disaster program or any potential shortfalls?

Mr. BRIGGS. Chair, thanks for the question. Yes, in all of my previous times as a Presidential appointee, especially during Covid, I saw it as part of my job to keep Congress informed, especially this Committee.

CHAIR. Very good, thank you. Under the Biden administration, a myriad of changes to the disaster program went into place, likely exacerbating the problems that led to the program shortfall last fall. As someone with experience leading the Office of Capital Access, how will you ensure that the disaster loan program is properly managed during your time as SBA Deputy Administrator?

Mr. BRIGGS. Madam Chair, thank you for the question. As you said, I did oversee the Office of Capital Access. After I left, there was a little bit of that merging with the old Office of Disaster. And so now the systems are somewhat merged. I think one of two things I would first immediately do is work with the current AA or Associate Administrator of the Office of Capital Access to understand, especially over the last eight weeks, what has been done, but also to work with our new CFO.

This is, in my opinion, basic blocking and tackling that we have to make sure there's enough money because we know disasters are coming. It's inexcusable. We don't know when. But Covid taught us one thing, think of the worst, and then double it, or triple it, or ten times it. And so, if I'm confirmed, that will be my focus to work with both the CFO's office and the Office of Capital Access on the disaster program.

CHAIR. So, you've given a very good overview. You are committing to ensure that a shortfall never happens again. Is that correct?

Mr. BRIGGS. Yes, Senator.

CHAIR. Okay. Thank you very much. And I've got two and a half minutes remaining. So, let's go to, again, Mr. Briggs. We'll talk a little bit about disaster field training. Iowa experiences our fair share of disasters. We've seen derechos, tornadoes, you name it.

Just last week, Iowans experienced a powerful blizzard that left thousands without power. And now we are about to go into that tornado season.

In disasters, aftermath, there's a lot of folks that are at their most vulnerable, and it's, it's something that's very tragic. They're doing their best to pick up the pieces of their lives that have been destroyed by something completely out of their control. Disappointingly, though we have heard repeated reports over the years of SBA field staff showing poor customer service to the disaster victims who come to them for help.

Victims have been profiled, made to feel SBA cannot do anything for them, and even left with completely incorrect information. This happened in Iowa. This is unacceptable and it must be changed. As SBA Deputy Administrator, how will you help ensure SBA disaster field staff will be properly trained and equipped to help disaster victims access SBA assistance

Mr. BRIGGS. Chair, thank you for that question. It's inexcusable when situations happen like that and people are at their most vulnerable. When I served in the prior administration, one of the initiatives I undertook was the Field Lineman Initiative to ensure that there was consistent customer service across the country.

So, the customer service that small businesses got in Iowa was the same they would've gotten in Massachusetts. This is the sort of thing that I take great pride in working with the Office of Field Operations. I believe the associate administrator from there is from Iowa. And so, we'll work to address that as quick as possible, but people really need the SBA during disasters that was made abundantly clear to me during my prior term and will be a key focus of mine getting the disaster thing right going forward.

CHAIR. Thank you so much. I appreciate that commitment. And then, if—do we have Senator Markey coming back? I think we have one more Senator coming, and then we'll go back to Senator Markey.

But a little bit about our experience in Iowa. Last year, during the tornado season, we saw a number of our very small communities that have been wiped out by those disasters. In one case, 60 percent of the homes and businesses in one town was gone after a tornado, and my own staff was on ground to assist those people that had been impacted by the tornado.

And the SBA field staff had provided inaccurate, incomplete, absolutely wrong information, and actually provided them a handout with a website that had been dead for heaven knows how long. So, that's why it's so important. We have got to provide people with accurate information when they are most vulnerable.

And Mr. Justice is getting situated. So, Senator, if you're ready to proceed with some questions, we've had some great dialogue today. You're recognized.

Senator JUSTICE. Madam Chairman, thank you so much. And thank both of these wonderful young men that I've had the opportunity to talk to and be with. And I really appreciate both that I can tell you just this from Jim Justice's standpoint. Jim Justice is a business guy. He's not a politician. You know, I'm a small business guy, and I have had dialogue with both these individuals and we are blessed. We are just flat blessed to have them both.

Mr. Briggs was here before, and you bring so much to the table. And Mr. Mulligan, I am just so impressed with you. It's off the chart. So, with all that being said, I've got a couple questions that are kind of bland in themselves, but I would just tell you first and foremost that you can't fathom in West Virginia how important our small businesses are.

But we really can't fathom all across this nation. Absolutely. The guts, the absolute everything we have in this nation starts with our small businesses. And so, with all that being said, again, we have two guys here, two gentlemen that are going to lead us, and they're going to knock it flat out of the park. And I promise you that.

And so, if I could ask this question real quick, Mr. Briggs. You've been there before, and my question reads, can you tell us today how your prior experience at SBA is going to be serve you the very best and serve all of us at the highest level?

Mr. BRIGGS. Thank you, Senator, for that question. During the first term, I had the privilege to travel your state three times on Office of Capital Access Business. I'm a big fan of West Virginia.

Senator JUSTICE. And you loved it, didn't you?

Mr. BRIGGS. I loved it, yeah.

Senator JUSTICE. Now, we're talking.

Mr. BRIGGS. We were doing that during the rural initiatives. One of the things that we did, sir, I served at the SBA, probably the most crucial time in the agency's history outside of its founding, and it was stretched to its limit. And so, from that kind of experience, or battlefield experience, as it were, you just learn things you would otherwise never learn. You understand it, you quickly, intuitively understand how the agency works and what's needs to be done.

In addition to that kind of insider knowledge of how it works, I also bring these tremendous external relationships formed during that era, and a willingness to work with the Committee on both sides, particularly as it comes to disaster response and related issues to better serve American small businesses.

Senator JUSTICE. I believe that. I believe every part. And absolutely not only do I believe, but all of us will hold you to that, too. And I think we'll hold you to that very proudly.

And if I could go to Mr. Mulligan just real quick and just say, just this, West Virginia, I just spoke just a second ago, I had the great opportunity to be the Governor of West Virginia for eight years. Now, just think about this. I've said this over and over and over. What is my number one responsibility when I was the Governor? My number one responsibility. You know, you may think, well, take care of the people. You know, absolutely be there when things get really tough on them and everything and all those things are true. Absolutely. Make sure we're safe. All those things are true.

But the number one thing that I felt was get the economics right. Make sure the economics were right, because if the economics were right, then you can do so much for so many. And if the economics are upside down, and believe me, when I walked in the door, and I don't say this braggadociously, but West Virginia was bankrupt. That's all there is to it.

And all of a sudden, we got it really, really, really cooking. And at the end of the day, we'd have never got it really cooking if it hadn't have been for great people like you and absolutely all the support of SBA, all across the planet in West Virginia. So, Mr. Mulligan, understanding all that and understanding absolutely how vital our economy is, tell us, tell me just a couple of things about how you would support our rural economy and absolutely in every way.

Dr. MULLIGAN. Thank you for your question. I was glad to be in your office and share with you the priorities that I have for the Office of Advocacy, if I'm confirmed. And the rural small businesses are something that the office is well situated to serve and listen to. Really, it's listening exercise and coming back and communicating.

So, the office has been, historically it's been to West Virginia to visit the small businesses where they are. There was a line business there. They recently visited with the farmers. We have the opportunity to go out and meet them also virtual meetings. And the whole point is to listen and then come back to Washington. In Washington, they have authority. But not knowledge and relay, Hey, the small business in West Virginia, they have these concerns and you really need to take them to account before you make your policies.

Senator JUSTICE. Well, let me just add one comment. You're splitting the bullseye on one thing. You know, I'm a real believer, of if you want to know what's going on with your business, you got to get you got to get out there and get dirty and get right with the people. You know, that's all there is to it. And literally, I hear you in every way. And that is a terrific answer to me. Madam Chairman, thank you so much.

CHAIR. You bet. Thank you, Senator Justice. We'll go now to five minutes to Senator Hickenlooper. Thank you.

Senator HICKENLOOPER. Thank you, Madam Chair. Thank you both for being here, Mr. Briggs, Mr. Mulligan. Appreciate your willingness to enter service.

I'll start with you, Mr. Briggs. Congress created the SBA in the law so that it could promote access to capital for small businesses. When I was governor in a different lifetime, we did what we call the bottom-up economic development plan. But one of the five main things that literally every part of the state said is we need better access to capital. And I think that's why Congress appropriates money to SBA programs is we get access to capital.

In the last few months, we've seen the President administration try to defy Congress and restrain those funds again against frozen money that Congress appropriated and really tried to shut down whole agencies that we had created through law. And I just am worried that that funding for small business is going to disappear for if we're not on top of it. So, I want to make sure that you're willing to do everything you can to running the SBA in line with the law including appropriations as Congress intended.

Mr. BRIGGS. Senator Hickenlooper, thank you for the question. If confirmed by the Senate, I will uphold the law in a fair and impartial manner.

Senator HICKENLOOPER. Okay. Well, I'll take that as a yes then. Mr. Mulligan, small business owners often face a range of chal-

lenges and barriers and stuff until you've done it. I mean, it took me almost two years to raise the money to open my first restaurant.

But those barriers change over time. They evolve and I think it's important that we stay on top of this evolving small business landscape and make sure that we're understanding that trends like AI changes in the lending market that we're on, that we're recognizing how they affect entrepreneurs, how they change the access to capital.

So, in your view, what developments in the small business environment should we be focusing on trying to understand better? How would you use the Office of Advocacy to make sure that Congress and the SBA stay informed?

Dr. MULLIGAN. Thank you for your question. I agree with you, 100 percent. The small business economy changes pretty fast, and it's been changing fast in recent times, and that means the data we had before is obsolete, and you really want to get access to new data that reflects the current situation.

You mentioned AI. I think it's a factor. Different types of employment relationships are evolving over time. And one of the great things about the Office of Advocacy is even before there was a Regulatory Flexibility Act, Congress understood that this issue of measurement, and they created the office to have an Office of Economic Research and do measurement.

I think a lot of the members even to this day are relying on the small business numbers that come from the office. And it would be a huge priority, not just because I've been an economic researcher for so many years, but be a huge priority for me to make sure the statistics are the best and up to date and reflect the current situation.

Senator HICKENLOOPER. I could not agree more. I think that I tell my staff all the time is information is power. And the more we share that power with where people can put it to use like small business entrepreneurs the better off we are.

Mr. Briggs small businesses in Indian country face unique challenges, and that's no surprise. The landscape is in many cases more challenging in a variety of ways. Last Congress, we worked with Senators on both sides of the aisle to create bill that would codify the SBAs office of Native American Affairs. That bill came out of this committee with 18 to 1 vote.

If you're confirmed, are you willing to commit to doing everything you can or to aggressively try to make sure that the Office of Native American Affairs has the resources it needs to try and support Indian entrepreneurs who oftentimes have far more difficult access to capital than anyone else?

Mr. BRIGGS. Senator, thank you for the question. I'm aware of the challenges facing the Native American community. My sister lives in New Mexico and has worked on a reservation in Taos, New Mexico, and has told me of the challenges facing that particular community. I commit to certainly looking at this legislation and working with your office and the full Committee on this issue as part of if I'm confirmed by the Senate.

Senator HICKENLOOPER. Right. Well, I appreciate that. I think in so many ways, the SBA is that bastion, that place where entre-

preneurs can turn. With all due respect, to the SBA, you have to have a little bit of capital, a little bit of momentum before the SBA will even answer your call. But once you get to that point, the SBA can provide solutions and resources to people that when they get that access. And I remember when we first got our 7(a) loan and it transformed our business in ways that, I mean, would take hours to explain.

So, anyway, I tremendously respect both of you for your effort to come and help small businesses. They are without question the core of our economy. Thank you. I yield back to the chair.

CHAIR. Thank you very much, Senator Hickenlooper. And that will conclude our questions. If there are no further questions, I want to thank Mr. Briggs and Dr. Mulligan for being here with us today and for your willingness to serve. We do appreciate it.

We are going to leave the record open for two days until 5:00 p.m. on Friday, March 14th, for the members to submit questions for the record. And we will keep the record open for two weeks to edit statements, and submit letters and any other relevant materials.

Without objection, so ordered.

Mr. Briggs and Dr. Mulligan, we would appreciate your prompt response to any questions submitted for the record. We do require your responses prior to advancing your nominations out of the Committee. And with that, the Committee on Small Business and Entrepreneurship stands adjourned.

[Whereupon, at 3:51 p.m., the hearing was adjourned.]



March 12, 2025

The Honorable Joni Ernst
Chair
Senate Committee on Small Business and Entrepreneurship
Washington, D.C. 20510

The Honorable Ed Markey
Ranking Member
Senate Committee on Small Business and Entrepreneurship
Washington, D.C. 20510

Dear Chair Ernst and Ranking Member Markey,

On behalf of the American Fintech Council (AFC) and its members,¹ I am writing you to express our strong support for the nomination of Bill Briggs for Deputy Administrator of the Small Business Administration (SBA) and respectfully request the expeditious and bipartisan confirmation of his nomination.

AFC is the premier trade association representing the largest financial technology (Fintech) companies and innovative banks. Our mission is to promote a transparent, inclusive, and customer-centric financial system by supporting responsible innovation in financial services and encouraging sound public policy. Our members are also improving access to financial services and increasing overall competition in the financial services industry by lowering the cost of financial transactions, allowing them to help meet demand for high-quality, affordable financial products.

Our support for Mr. Briggs stems from his over two decades of experience in both the public and private sectors, making him exceptionally well-qualified for this role. Particularly, Mr. Briggs' leadership experience, which extends across multiple presidential administrations exemplifies his ability to work in a pragmatic, bipartisan manner in order to effectuate sound public policy. He first served as a presidential appointee at the U.S. Environmental Protection Agency, overseeing public outreach and stakeholder engagement. During President Trump's first term, Mr. Briggs showed exemplary policy acumen, which served him well as he advanced through several leadership positions at the SBA's Office of Capital Access, ultimately serving as Acting Associate Administrator. While in this capacity, he played a crucial role in serving the American people by managing the daily operations of the \$800 billion Paycheck Protection Program (PPP), the largest small business support effort in U.S. history. During Mr. Briggs' work on the PPP, he

¹ AFC's membership spans technology platforms, non-bank lenders, banks, payments providers, loan servicers, credit bureaus, and personal financial management companies.

worked closely with both banks and fintech companies to ensure that small businesses received the vital funding they needed and that the program achieved Congress' aims in an efficient and effective manner.

In addition, Mr. Briggs is a recognized expert in the field, publishing numerous articles on federal small business policy and, frequently contributing to media discussions on small business issues. Furthermore, as a small business owner himself, Mr. Briggs understands firsthand the challenges and opportunities facing entrepreneurs today.

As Deputy Administrator, Mr. Briggs will bring invaluable expertise and a collaborative approach to advancing the SBA's mission. His leadership will help strengthen public-private partnerships, enhance financial inclusion, and support responsible innovation to ensure that small businesses—especially those in underserved communities—have access to the resources they need to thrive.

Thus, AFC and its members fully support Mr. Briggs' nomination for Deputy Administrator of SBA and respectfully request that your committee and the Senate move forward with the expeditious and bipartisan confirmation of his nomination.

Sincerely,



Ian P. Moloney
SVP, Head of Policy and Regulatory Affairs
American Fintech Council

Cc: The Honorable John Thune, Majority Leader, United States Senate
The Honorable Charles E. Schumer, Minority Leader, United States Senate



Klassi Duncan, Chair
New Orleans, LA

Roberta McCullough, Past Chair
Durham, NC

Nicole Liatos, Vice Chair
Cleveland, OH

Kathryn Rudloff, Secretary
Melbourne, FL

Ruth Garcia-Corrales
Los Angeles, CA

Austin Goble
Clanton, AL

Nikki Hahn
White Plains, NY

Gwen Hart
Burlington, VT

Katty Ibarra
San Diego, CA

Sophia Kanaan
Sacramento, CA

Danette Nguyen
Rockville, MD

Cindy Ramos-Davidson
El Paso, TX

Luz Sellers
Wilmington, DE

Rana Shanawani
Chatham, NJ

Jackie Scott
Temecula, CA

Anne Flynn Schlicht
Pittsburgh, PA

Kassi Strong
Billings, MT

March 10, 2025

Senate Committee on Small Business & Entrepreneurship
United States Senate
260 Russell Senate Office Building
Washington DC, 20510

Letter In Support of SBA Nominee William Briggs

Dear Members of the Committee,

The Association of Women's Business Centers strongly supports the nomination of William Briggs as Deputy Administrator of the Small Business Administration.

Throughout his career, he has demonstrated a steadfast commitment to fostering economic opportunity and ensuring small business owners have the tools they need to succeed. His deep understanding of economic policy and dedication to growth make him well-equipped to enhance SBA initiatives, improve access to capital, and strengthen support for women entrepreneurs nationwide.

We are confident that under his leadership, the SBA will continue advancing policies that drive innovation, job creation, and economic resilience. The Association of Women's Business Centers looks forward to working with William Briggs to champion the success of women-owned businesses across the country.

Best Regards,

The Association of Women's Business Centers



March 12, 2025

In Support of SBA Nominee William Briggs

The Economic and Community Development Institute (ECDI) is proud to express our strong support for the nomination of William Briggs to the Deputy Administrator position at the Small Business Administration, with decades of experience in economic policy and a steadfast commitment to the community-oriented entrepreneurial spirit to succeed. Mr. Briggs has been a vocal advocate for expanding access to capital and resources for underserved entrepreneurs. His leadership will be pivotal in strengthening SBA programs that empower small businesses, particularly in communities historically facing financial barriers. At ECDI, we share his vision for fostering economic growth through strategic investments throughout the small business ecosystem. We strongly urge the Senate to confirm William Briggs as Deputy Administrator and entrust him with this vital responsibility of advancing American small business success and economic resilience.

Best Regards,

Inna Kinney
Founder and CEO

Steve Fireman
President and General Counsel



Tracy Harris
IBAT Chairman
Texas Regional Bank, Harlingen

Greg Wilson
IBAT Chairman-Elect
Lamar National Bank, Paris

Gabe Guerra
IBAT Secretary-Treasurer
Kleberg Bank, Corpus Christi

Christopher C. Doyle
IBAT Immediate Past Chairman
Texas First Bank, Texas City

Rick Jamieson
Chairman
IBAT Leadership Division
First State Bank, Gainesville

Bradley H. Tidwell
Chairman
IBAT PAC Committee
VeraBank, Henderson

Kevin W. Monk
Chairman
IBAT Education Foundation
Alliance Bank, Sulphur Springs

Christopher L. Williston VI, CAE
President and CEO
IBAT, Austin

March 11, 2025

Meredith West
Small Business Committee Majority Staff Director
United States Senate
Washington, D.C. 20510

Sean Moore
Small Business Committee Minority Staff Director
United States Senate
Washington, D.C. 20510

Dear Directors West and Moore:

I write to you on behalf of the Independent Bankers Association of Texas (IBAT) to lend the association's strong support for Bill Briggs's confirmation as Deputy Administrator of the Small Business Administration. Mr. Briggs is well-versed in community banking and has the necessary qualities to serve as Deputy Administrator.

Community banks have a long history of working closely with the SBA to deploy capital to America's small businesses in an effective manner. The 7(a) program allows community banks to support businesses within their communities that would not otherwise qualify for conventional credit. Community banks account for around 50 percent of 7(a) loans, which allows them to meet the needs of even the smallest borrowers.

Prior to his role at IBAT, Mr. Briggs served as Associate Administrator in the SBA's Office of Capital Access, where he helped oversee the Paycheck Protection Program, which was instrumental in helping community banks save their communities during the pandemic era. Based on these experiences, as well as my personal experience in working with Mr. Briggs as a colleague, we feel uniquely qualified to commend him for the leadership role for which he has been nominated.

Your consideration is greatly appreciated. We are grateful for the opportunity to work closely with the Small Business Administration to serve our nation's small businesses.

Sincerely,

Christopher Williston
IBAT President and CEO



Lucas White, Chairman
 Jack E. Hopkins, Chairman-Elect
 Alice P. Frazier, Vice Chairman
 Quentin Leighty, Treasurer
 James H. Sills, III, Secretary
 Derek B. Williams, Immediate Past Chairman
 Rebeca Romero Rainey, President and CEO

March 3, 2025

The Honorable Joni Ernst
 Chair
 Committee on Small Business
 & Entrepreneurship
 United States Senate
 Washington, D.C. 20510

The Honorable Edward J. Markey
 Ranking Member
 Committee on Small Business
 & Entrepreneurship
 United States Senate
 Washington, D.C. 20510

Dear Chair Ernst and Ranking Member Markey:

On behalf of ICBA and the nearly 50,000 community bank branches we represent, I write to offer our strong support for William Briggs' confirmation as Deputy Administrator of the Small Business Administration. Mr. Briggs is deeply familiar with community banking and highly qualified to serve as Deputy Administrator. We request that you convene a confirmation hearing in the near future.

Community banks have a long history of working closely with the SBA to broadly and effectively deploy capital to America's small businesses. The 7(a) program is invaluable in allowing community banks to support local small businesses that would not otherwise qualify for conventional credit. Community banks account for a disproportionate amount of 7(a) loans, meeting the needs of the smallest borrowers.

Mr. Briggs has served at the Independent Community Bankers of Texas (IBAT), a prominent community bank trade association, and in the SBA's Office of Capital Access, where he helped oversee the Paycheck Protection Program, which helped community banks support their communities during a historic pandemic. These experiences have prepared him for a leadership role at the agency.

Thank you for your consideration. We look forward to working closely with Mr. Briggs to ensure the success of agency programs.

Sincerely,
 /s/
 Rebeca Romero Rainey
 President & CEO

CC: Members of the Senate Committee on Small Business & Entrepreneurship



March 10, 2025

The Honorable Joni Ernst
Chair
Committee on Small Business & Entrepreneurship
United States Senate
428A Russell Senate Office Building
Washington, DC 20510

The Honorable Ed Markey
Ranking Member
Committee on Small Business & Entrepreneurship
United States Senate
428A Russell Senate Office Building
Washington, DC 20510

Dear Chair Ernst & Ranking Member Markey:

On behalf of nearly 1,000 private-sector financial institutions and partners that served over 70,000 small businesses across the U.S. just last year alone through the Small Business Administration (SBA) 7(a) lending program, I write to express the support of the National Association of Government Guaranteed Lenders (NAGGL) for the swift confirmation of William Briggs to serve as the next Small Business Administration (“SBA”) Deputy Administrator.

Mr. Briggs has a valuable depth of experience working in and around financial services and the SBA’s access to capital programs that uniquely qualifies him to succeed as Deputy Administrator. In particular, Mr. Briggs served as Senior Advisor, Deputy Associate Administrator and Acting Associate Administrator for SBA’s Office of Capital Access during the Trump Administration’s first term. During these years, the Paycheck Protection Program (“PPP”) was crafted by Congress and implemented by SBA and the Department of Treasury, and Mr. Briggs served on the frontlines of that historic implementation. Mr. Briggs also most recently worked with community banks on broader financial services issues as Director of Federal and Regulatory Advocacy for the Independent Bankers Association of Texas.

The culmination of these experiences well situates Mr. Briggs to help the SBA through the enormously important work ahead to support and protect the integrity of SBA’s loan programs. NAGGL is pleased to endorse a nominee in William Briggs who shares the common goals of the 7(a) lending industry: to create jobs and grow the economy through private-sector investments, ensuring that the backbone of America’s economy—small businesses—have access to the capital needed in order to thrive. Once confirmed, Mr. Briggs’ background positions him to immediately dive into the challenges and opportunities that SBA faces in order to best partner with the private-sector lenders that SBA depends upon to deliver billions in capital to small businesses each year, and to provide the support essential to help, not hurt, the small businesses we all seek to protect.

For over 70 years, the lending industry has ensured that the SBA’s largest and hallmark program, the 7(a) loan program, created or retained millions of jobs, and grew the local economies of this country in both tangible and immeasurable ways. As we begin a new Administration, NAGGL sincerely looks forward to continuing those efforts on behalf of small businesses and to working hand-in-hand with Mr. Briggs as he helps to lead an agency that plays an incredibly vital role in the federal government. We urge the Committee and the Senate to quickly consider and confirm William Briggs, and we thank the Committee for their swift action to ensure all SBA’s nominees are confirmed.

Sincerely,

Anthony R. Wilkinson
President & CEO, National Association of Government Guaranteed Lenders (NAGGL)



January 24, 2025

The Honorable Joni Ernst
Chair
Senate Small Business Committee
428A Russell Senate Office Building
Washington, D.C. 20510

The Honorable Ed Markey
Ranking Member
Senate Small Business Committee
428A Russell Senate Office Building
Washington, D.C. 20510

Dear Chair Ernst and Ranking Member Markey,

On behalf of the National Restaurant Association, I am writing to convey our support for Sen. Kelly Loeffler's nomination as Administrator of the Small Business Administration (SBA) and Bill Briggs' nomination as Deputy Administrator of the SBA.

The restaurant and foodservice industry is the second-largest private sector employer in the United States, with over 15.7 million employees and generating more than \$1.4 trillion in annual sales. Sixty-three percent of adults have worked in the restaurant industry, making it the nation's training ground.

The SBA is an indispensable partner to our industry, which is primarily composed of small businesses. Notably, 9 out of 10 restaurant operators employ fewer than 50 people, and 7 out of 10 are single-unit owners. Rising food and labor costs – each up more than 30% in the past five years – and workforce shortages continue to challenge operators nationwide. Effective SBA leadership is crucial for fostering policies that promote economic growth, job creation, and business sustainability.

Sen. Loeffler brings extensive experience from both small and large businesses, as well as the public sector, providing her with valuable insights into the challenges entrepreneurs face and how to stimulate economic growth. Her formative years on her family farm and working in restaurants instilled a deep appreciation for hard work, honed lifelong skills, and ingrained the importance of serving others.

We valued our collaboration with Sen. Loeffler at the outset of the COVID-19 pandemic, one of the most challenging periods in the history of the restaurant industry. In 2020 alone, the restaurant and foodservice sector faced unprecedented challenges, with over eight million employees laid off or furloughed and a staggering \$240 billion in lost sales. Senator Loeffler supported initiatives like the Paycheck Protection Program (PPP), which played a critical role in allowing restaurants to stay in business and keep employees on payroll.

While Congress passed the PPP, Mr. Briggs played a pivotal role in the challenging task of setting up and implementing this large-scale initiative under unprecedented conditions. He attentively listened to feedback from restaurants to ensure the program's effectiveness. Without his expertise

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2055 L Street NW, Suite 700, Washington, DC 20036 | (202) 331-5900 | (800) 424-5156

Chair Ernst
Ranking Member Markey
January 24, 2025
Page Two

and diligence, countless restaurants and small businesses across the country would not have survived.

We respectfully urge the Senate to approve the nominations of Sen. Loeffler and Mr. Briggs. Their leadership will provide the necessary direction to address the challenges facing the restaurant and foodservice industry and ensure its continued contribution to the nation's economic growth and success.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Korsmo". The signature is fluid and cursive, with a long, sweeping underline.

Michelle Korsmo
President & CEO
National Restaurant Association



March 10, 2025

The Honorable Joni Ernst
Chair
Senate Committee on Small Business &
Entrepreneurship
United States Senate
260 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Ed Markey
Ranking Member
Senate Committee on Small Business &
Entrepreneurship
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chair Ernst, Ranking Member Markey, and Members of the Committee:

As the nation's oldest small business advocacy organization, representing our membership of more than 65,000 and the 70+ million owners and employees that make up the U.S. small business sector, we are writing to express our strong support for the nomination of William Briggs, of Texas, to be Deputy Administrator of the Small Business Administration (SBA).

The SBA plays a pivotal role in helping ensure that small businesses—which represent more than 99 percent of all companies operating in the United States and employ roughly half the nation's workforce—have access to the resources, capital, and support they need to start, grow, and thrive in an increasingly competitive global economy.

Mr. Briggs brings a wealth of experience and a deep understanding of the challenges and opportunities facing America's small businesses. His tenure as Acting Associate Administrator in the SBA's Office of Capital Access, as well as his leadership in public policy and financial services, have demonstrated his commitment to the small businesses community and make him uniquely qualified to serve as Deputy Administrator.

NSBA is confident that Mr. Briggs will bring the vision, leadership, and dedication necessary to strengthen the SBA's mission and support America's small businesses. We respectfully urge you to advance his nomination out of Committee and confirm him before the full Senate.

Sincerely,

Todd McCracken
President & CEO
National Small Business Association

Reed Westcott
Executive Director
Small Business Exporters Association

March 10, 2025
Page 2

cc: The Honorable James Risch
The Honorable Rand Paul
The Honorable Tim Scott
The Honorable Todd Young
The Honorable Josh Hawley
The Honorable Ted Budd
The Honorable John Curtis
The Honorable Jim Justice
The Honorable John Husted

The Honorable Maria Cantwell
The Honorable Jeanne Shaheen
The Honorable Cory Booker
The Honorable Chris Coons
The Honorable Mazie Hirono
The Honorable Jacky Rosen
The Honorable John Hickenlooper
The Honorable Adam Schiff



March 11th, 2025

The Honorable Joni Ernst
Chair
Committee on Small Business &
Entrepreneurship
U.S. Senate
Washington, DC 20515

The Honorable Ed Markey
Ranking Member
Committee on Small Business &
Entrepreneurship
U.S. Senate
Washington, DC 20515

Dear Chairwoman, Ranking Member, and Senators of the Committee:

The purpose of this letter is to express our support for the confirmation of William Briggs to be Deputy Administrator of the Small Business Administration (SBA) and to urge the Senate to provide its advice and consent to fill this critical position swiftly.

The Small Business Investor Alliance (SBIA) is the trade association representing small business investors, including Small Business Investment Companies (SBICs) and Rural Business Investment Companies (RBICs). Since 1958, we have worked closely with the SBA to promote small business growth and job creation, expand capital access, and foster entrepreneurship. This enduring partnership has helped companies like Federal Express, Apple, Intel, and Tesla, grow from small businesses into icons of American industry and innovation.

As we begin 2025, it is essential to renew our focus on building a strong future by growing the small business economy and creating jobs. Mr. Briggs brings significant leadership experience in the private sector and at SBA to take on the crucial role of Deputy Administrator. With Mr. Briggs helping lead the SBA, the agency will be better positioned to have positive impacts on America's small businesses.

As the SBA continues its critical work in supporting small businesses, Mr. Briggs' confirmation will ensure that the agency remains equipped with strong leadership, experienced management, and a clear vision for the future. He is an excellent choice to serve as the deputy to the Administrator.

We respectfully urge the Senate to act quickly to confirm William Briggs as SBA Deputy Administrator.

Thank you for your consideration.

Brett Palmer

President
Small Business Investor Alliance



March 12, 2025

The Honorable Joni Ernst
Chairman
Senate Committee on Small Business and
Entrepreneurship
United States Senate
260 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Ed Markey
Ranking Member
Senate Committee on Small Business and
Entrepreneurship
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

Subject: Statement of Support for the Nomination of William Briggs

The Small Business Multi-Cloud Coalition (SBMCC) is proud to endorse William "Bill" Briggs for the role of Deputy Administrator of the Small Business Administration (SBA). His leadership in the Office of Capital Access, particularly during the rollout of the Paycheck Protection Program (PPP), demonstrated his ability to drive impactful policies that support small businesses in times of crisis and beyond. As a coalition committed to advancing federal procurement modernization and multi-cloud strategies, we recognize Bill's expertise in fostering an environment that promotes competition, innovation, and security.

As Deputy Administrator, Bill will bring invaluable experience and leadership to the SBA, working alongside Administrator Kelly Loeffler to strengthen the agency's mission. As the SBA continues to evolve in an increasingly digital and technology-driven economy, we are confident that Bill will champion initiatives that empower small businesses with the tools and opportunities they need to succeed. The SBMCC looks forward to his leadership in advancing policies that promote innovation, deter vendor lock-in, and ensure small businesses have access to modern, secure, and effective IT solutions. We strongly urge the Senate to confirm Bill Briggs as Deputy Administrator and entrust him with this critical role in shaping the future of American small business and economic success.

Best Regards,

Jay Perron

Jay Perron
Executive Director



cc:

The Honorable James Risch
 The Honorable Rand Paul
 The Honorable Tim Scott
 The Honorable Todd Young
 The Honorable Josh Hawley
 The Honorable Ted Budd
 The Honorable John Curtis
 The Honorable Jim Justice
 The Honorable Jon Husted

The Honorable Maria Cantwell
 The Honorable Jeanne Shaheen
 The Honorable Cory Booker
 The Honorable Chris Coons
 The Honorable Mazie Hirono
 The Honorable Jacky Rosen
 The Honorable John Hickenlooper
 The Honorable Adam Schiff



TAB's purpose is "to champion the best business climate in the world, unleashing the power of free enterprise to enhance lives for generations."

Pro-Business • Pro-Texas
for 100 years

March 11, 2025

The Honorable Joni Ernst
Chair, Senate Committee on Small Business
& Entrepreneurship
United States Senate
Washington, DC 20510

The Honorable Edward J. Markey
Ranking Member, Senate Committee on
Small Business & Entrepreneurship
United States Senate
Washington, DC 20510

Dear Chair Ernst and Ranking Member Markey:

The Texas Association of Business (TAB) is the Texas State Chamber, representing companies of every size and industry across every region of the state. TAB works in a bipartisan manner to vigorously protect Texas' pro-business climate, delivering solutions to the challenges affecting Texas employers. We write to express our strong support of William Briggs as the next Deputy Administrator of the U.S. Small Business Administration (SBA).

Texas is home to 3 million small businesses that employ nearly half of all working Texans. Small businesses are an important part of our state's economy providing opportunities in their communities and in hard-to-reach markets across the state, supporting job growth and fueling the Texas economy.

Mr. Briggs has a strong record of supporting small business in Texas, including his role in helping to administer the Paycheck Protection Program (PPP) during the COVID-19 pandemic. Over \$22 billion worth of PPP loans were to Texas small businesses and these loans helped save hundreds of thousands of small business jobs. Additionally, Mr. Briggs has served on TAB committees and has been a vocal advocate for reducing harmful and unnecessary regulation that harm small businesses in Texas.

TAB believes SBA and Texas small businesses will be well served with Mr. Briggs as the Deputy Administrator and we look forward to working with him at SBA.

Sincerely,

Glenn Hamer
President & CEO
Texas Association of Business (TAB)



March 11, 2025

The Honorable Joni Ernst
Chair, Senate Committee on Small Business & Entrepreneurship
United States Senate
Washington, DC 20510

The Honorable Edward J. Markey
Ranking Member, Senate Committee on Small Business & Entrepreneurship
United States Senate
Washington, DC 20510

Dear Chair Ernst and Ranking Member Markey:

The Texas Venture Alliance is the largest statewide network amplifying the ecosystem of support for entrepreneurs. We co-create events and resources for startup founders by working in solidarity with: venture capital firms, incubators, accelerators, angel networks, universities, family offices, chambers of commerce, economic development corporations, and more. It is with enthusiasm that we write to express encouragement for a great Texan, William Briggs as the next Deputy Administrator of the U.S. Small Business Administration (SBA).

Though startups are a type of business considered "small" in size, they are mighty. Entrepreneurs who run these types of companies create outsized impact. They are recognized as contributors toward our state's strategic plan of a 'Bigger. Better. Texas.', as well as ensure that Texas is the blueprint for America's future.

Nationally Mr. Briggs has shown himself a steadfast ally of small businesses through his critical role during the pandemic, safeguarding hundreds of thousands of jobs via the Paycheck Protection Program. In Texas he has advocated to eliminate burdensome and unnecessary regulations that hinder small businesses. Within our innovation ecosystem, Mr. Briggs has mentioned to me he is a reader of our Texas Venture Newsletter— which stands as testament of him being active and remaining on the pulse.

Mr. Briggs is an example of exactly the Texan spirit needed to take our country to the next level with his leadership at the SBA. America's small business community will thrive with Mr. Briggs as Deputy Administrator.

Sincerely,

A handwritten signature in black ink, appearing to read "CS Freeland".

CS Freeland
Executive Director
Texas Venture Alliance

A handwritten signature in black ink, appearing to read "Glenn Hamer".

Glenn Hamer
President & CEO, Texas Association of Business
Chair, Texas Venture Alliance

**U.S. BLACK CHAMBERS, INC.***The National Voice of Black Business*

March 12, 2025

In Support of SBA Nominee William Briggs

The U.S. Black Chambers, Inc. supports the nomination of William Briggs to the position of Deputy Administrator at the Small Business Administration, recognizing his deep expertise in economic policy and unwavering commitment to advancing equitable opportunities for small businesses. William Briggs has been a champion for economic growth, ensuring disadvantaged entrepreneurs have the necessary resources to thrive. His leadership will be instrumental in strengthening SBA programs, expanding access to capital, and addressing systemic barriers that have historically limited the success of talented and capable entrepreneurs. We are confident that his experience and vision will drive meaningful progress, fostering a more resilient and inclusive small business ecosystem. The U.S. Black Chambers, Inc. stands ready to work alongside William Briggs in empowering entrepreneurs and advocating for policies that fuel long-term economic prosperity.

Best Regards,

U.S. Black Chambers, Inc.

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www.usblackchambers.org
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March 7, 2025

The Honorable Joni Ernst
Chairman
Senate Committee on Small Business and
Entrepreneurship
United States Senate
260 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Ed Markey
Ranking Member
Senate Committee on Small Business and
Entrepreneurship
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Ernst, Ranking Member Markey, and Members of the Committee:

On behalf of Visiting Angels, I am pleased to express our strong support for the nomination of Bill Briggs as Deputy Administrator of the Small Business Administration. Throughout his career, Bill has been a steadfast advocate for small businesses, demonstrating a deep understanding of the challenges they face and a commitment to fostering policies that enable them to grow and thrive. His leadership in overseeing the Paycheck Protection Program during a critical period provided much-needed relief to businesses across the country, including those in the home care industry, which plays a vital role in supporting seniors and families nationwide.

For over 25 years, Visiting Angels has been dedicated to providing high-quality home care services while also operating as a network of small business owners. We understand firsthand the importance of strong policies that empower service-based industries and ensure small businesses have the resources they need to succeed. Bill Briggs' experience in supporting small business initiatives, coupled with his leadership in navigating complex economic challenges, makes him exceptionally well-qualified for this role.

We are confident that under his leadership, the Small Business Administration will continue to be a valuable resource for businesses like ours. We look forward to the positive impact he will have in ensuring small businesses remain a driving force in our economy.

Thank you for your time and consideration. Please do not hesitate to reach out if we can provide any further insight or support.

Sincerely,

Dan Drennen

Dan Drennen
Senior Vice President of Brand Administration

America's Choice in Home Care®

937 Haverford Road, Suite 200, Bryn Mawr, PA 19010 | 800.365.4189 | VisitingAngels.com | LivingAssistance.com

*Visiting Angels is a registered trademark of Living Assistance Services, Inc. Each Visiting Angels agency is independently owned and operated.



cc:

The Honorable James Risch
 The Honorable Rand Paul
 The Honorable Tim Scott
 The Honorable Todd Young
 The Honorable Josh Hawley
 The Honorable Ted Budd
 The Honorable John Curtis
 The Honorable Jim Justice
 The Honorable Jon Husted

The Honorable Maria Cantwell
 The Honorable Jeanne Shaheen
 The Honorable Cory Booker
 The Honorable Chris Coons
 The Honorable Mazie Hirono
 The Honorable Jacky Rosen
 The Honorable John Hickenlooper
 The Honorable Adam Schiff

America's Choice in Home Care®

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Darryl L. DePriest

2925 W. Leland Ave. | Chicago, IL 60625-3715 | 312-909-7663 | darryl.depriest@gmail.com

March 11, 2025

The Honorable Joni Ernst
Chair, Committee on Small Business & Entrepreneurship
United States Senate
Washington, D.C. 20510

The Honorable Ed Markey
Ranking Member, Committee on Small Business & Entrepreneurship
United States Senate
Washington, D.C. 20510

Subject: Nomination of Dr. Casey Mulligan as Chief Counsel for Advocacy, SBA Office of Advocacy

Dear Chair Ernst and Ranking Member Markey,

I understand that the Senate Committee on Small Business & Entrepreneurship is considering the nomination of Dr. Casey Mulligan as the Chief Counsel for Advocacy in the U.S. Small Business Administration's Office of Advocacy. As you know, the Office of Advocacy has been without a Chief Counsel since I left the Office at the end of President Obama's administration in January, 2017. During the past eight years, the staff, led primarily by Major Clark, has performed admirably in representing the views and interests of America's small businesses and entrepreneurs to both a Republican and Democratic administration.

As commendable as their efforts have been, I know from personal experience that the Office of Advocacy has more impact and operates at the highest level when it is led by a Senate confirmed Chief Counsel, particularly in regards to ensuring that federal agencies abide by the requirements of the Regulatory Flexibility Act and consider the economic impact of regulations on small businesses and explore less burdensome alternatives whenever feasible. Dr. Mulligan appears experientially and temperamentally to be well-suited to lead the Office of Advocacy. In addition, I would expect that as an economist, he will bring fresh insights and knowledge to the research and small business data compiled and analyzed by the Office of Advocacy's Office of Economic Research, material that is heavily relied upon by policymakers in both the Executive and Legislative branches.

A favorable review of Dr. Mulligan by your committee, and confirmation by the Senate, will strengthen the Office of Advocacy and will likely be well-received by the small business community.

Thank you for your time and consideration.

Sincerely yours,

A handwritten signature in blue ink that reads "Darryl L. DePriest". The signature is written in a cursive, flowing style.

Darryl L. DePriest
Chief Counsel for Advocacy
2015-2017

Law Office of Jere Glover

Jereglover@gmail.com 1004 Oak Lane 202-903-8787
Annapolis, MD 21403

March 13, 2025

Subject: Statement of support for Casey Mulligan, PhD for Chief Counsel for Advocacy

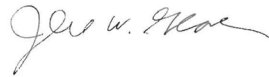
Senate Small Business and Entrepreneur Committee

I was SBA's Chief Counsel for Advocacy from 1994 to 2001. The Chief Counsel is a critical position in any Administration. Not only does the Chief Counsel oversee economic research and comment on regulations that impact small business, but he also provides a strong voice for small business within the Administration and with Congress. Both I and my successor Chief Counsel, Tom Sullivan, testified before Congress over thirty times.

I have met with Dr. Mulligan on two occasions to discuss my experiences as Chief Counsel. He understands the role of the Chief Counsel and the need for there to be a strong independent voice for small business within the Government. His background as an economist will be helpful in his performance of this vital role.

Without a confirmed Chief Counsel, the office does not have the ability or prestige to make its voice heard. The Office of Advocacy has been without a confirmed Chief Counsel for eight years. I hope that Dr. Mulligan will be confirmed so that he can be a strong voice within the Trump Administration for small businesses, and ensure their needs aren't drowned out by other, more powerful interests.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jere W. Glover".

Jere W. Glover



March 11, 2025

The Honorable Joni Ernst
Chair
U.S. Senate Committee on Small Business
Washington, DC 20510

The Honorable Ed Markey
Ranking Member
U.S. Senate Committee on Small Business
Washington, DC 20510

Dear Chair Ernst and Ranking Member Markey:

On behalf of the International Franchise Association (IFA), the world's oldest and largest organization representing franchising worldwide, I write in strong support of the nominations of Mr. William Briggs to serve as Deputy Administrator of the Small Business Administration (SBA) and Professor Casey B. Mulligan to serve as Chief Counsel for Advocacy.

SBA's lending programs are invaluable to the nation's small businesses, which include approximately 830,876 franchise establishments. These locally owned businesses support nearly 8.8 million direct jobs and provide \$896.9 billion of economic output for the U.S. economy, nearly 2 percent of U.S. Gross Domestic Product.

IFA has long appreciated our strong relationship with the SBA and its support of the franchise sector. The SBA 7(a) loan program is the primary source of funding many franchisees rely on for start-up costs and expansion, and this is especially true for first-time franchisees. Historically, franchises have represented about 20% of SBA loans by dollar volume.

Mr. Briggs' experience in the private sector with the Independent Bankers Association of Texas (IBAT) and previous service in government will be invaluable as he helps to lead the SBA. In particular, IFA worked closely with Mr. Briggs when he was Acting Associate Administrator for the Office of Capital Access during implementation of the Paycheck Protection Program (PPP). The PPP was a vital lifeline to millions of small businesses during the pandemic, and we deeply appreciated his understanding that franchises truly are locally owned Main Street small businesses.

Professor Mulligan boasts an impressive resume in academia and government, and his work on market distortions in particular positions him to be an independent voice for small businesses across the federal government. The Office of Advocacy plays a vital role in standing up for small businesses that are too often overlooked in the regulatory process. For instance, in 2022, the Office expressed concern that the joint employer standard promulgated by the National Labor Relations Board was, "too ambiguous and broad, providing no guidance for contracting parties on how to comply or avoid liability." This new standard, which would have crippled the franchise business model, was eventually overturned by the courts.



Thousands of American small business franchisees rely on the capital and counseling provided by the SBA, and IFA welcomes Mr. Briggs and Professor Mulligan's nominations. We look forward to working with them both to ensure that federal actions are sensitive to the concerns of locally owned franchise businesses.

Thank you for considering our views.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mike Layman', is positioned above the typed name.

Michael Layman
Chief Advocacy Officer
International Franchise Association



March 3, 2025

The Honorable Joni Ernst
Chair
Senate Committee on Small Business &
Entrepreneurship
United States Senate
260 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Ed Markey
Ranking Member
Senate Committee on Small Business &
Entrepreneurship
United States Senate
255 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chair Ernst, Ranking Member Markey, and Members of the Committee:

As the nation's oldest small business advocacy organization, representing our membership of more than 65,000 and the 70+ million owners and employees that make up the U.S. small business sector, we are writing to express our strong support for the nomination of Casey Mulligan, of Illinois, to be Chief Counsel for Advocacy at the Small Business Administration.

Small companies represent more than 99 percent of all businesses in the United States, and we collectively employ nearly half of the nation's workforce. However, despite these figures, small businesses are uniquely vulnerable to shifting regulatory burdens, and are much more likely to bear the brunt of excessive government regulation. For years, the Regulatory Flexibility Act (RFA), which clearly outlines regulatory agencies' duties in accounting for impacts of their actions on small entities, has gone all but ignored. Agencies have bypassed the process, and small businesses have paid the price.

Exacerbating the problem is the fact that the sole independent office in the Federal Government tasked with engaging with agencies as a part of the RFA has gone without a confirmed leader for nearly a decade. Small companies need, and deserve, a fully staffed Office of Advocacy to serve as their watchdog in the Federal regulatory process. We were pleased that President Trump made a historically early nomination of Dr. Casey Mulligan to lead the Office, signaling the importance of the role and the Office itself.

After much consideration, and productive and engaging conversations with the nominee, we believe that Dr. Mulligan is the ideal candidate to lead the Office of Advocacy. He brings a unique—and highly beneficial—combination of academic expertise and technical understanding of government to the role. We strongly urge you to advance his nomination out of Committee, and confirm him before the full Senate.

Sincerely,

Todd McCracken
President & CEO
National Small Business Association

Reed Westcott
Executive Director
Small Business Exporters Association

March 3, 2025
Page 2

cc: The Honorable James Risch
The Honorable Rand Paul
The Honorable Tim Scott
The Honorable Todd Young
The Honorable Josh Hawley
The Honorable Ted Budd
The Honorable John Curtis
The Honorable Jim Justice
The Honorable John Husted

The Honorable Maria Cantwell
The Honorable Jeanne Shaheen
The Honorable Cory Booker
The Honorable Chris Coons
The Honorable Mazie Hirono
The Honorable Jacky Rosen
The Honorable John Hickenlooper
The Honorable Adam Schiff



March 10, 2025

The Honorable Joni Ernst
Chair
Committee on Small Business & Entrepreneurship
United States Senate
Washington, D.C. 20510

The Honorable Ed Markey
Ranking Member
Committee on Small Business & Entrepreneurship
United States Senate
Washington, D.C. 20510

Dear Chair Ernst and Ranking Member Markey:

The Small Business & Entrepreneurship Council (SBE Council) and our nationwide network of small business owners and entrepreneurs strongly support Dr. Casey Mulligan's nomination as Chief Counsel for Advocacy at the U.S. Small Business Administration (SBA).

The Office of Advocacy was established to ensure that federal government agencies comply with the Regulatory Flexibility Act (RFA) by conducting thorough small business impact analyses before issuing new regulations. Unfortunately, and without the presence of a Chief Counsel over the past two administrations, many agencies have ignored their obligations under the RFA, leaving small businesses to bear the brunt of burdensome government rules. While the Office has done admirable work in striving to push agencies to comply with their small business obligations, the lack of a confirmed leader has taken a toll, particularly over the last four years where \$1.7 trillion in new regulatory costs hit small businesses the hardest.

The Office of Advocacy must be fully empowered to meet its statutory obligations to rein in regulatory overreach. After meeting with Dr. Mulligan, SBE Council is confident that he will faithfully and effectively advocate for America's small businesses in this important role. As a University of Chicago economist and former Chief Economist of the White House Council of Economic Advisers, his professional experience and strong analytical background and a commitment to evidence-based policymaking will help protect small businesses from costly regulatory overstep.

SBE Council urges the Senate Committee on Small Business & Entrepreneurship to move swiftly on advancing Dr. Mulligan's nomination. His leadership will ensure that small businesses once again have an independent voice advocating for their interests at the highest levels of government.

Thank you for considering the views of SBE Council and your commitment to fostering a policy environment that enables entrepreneurship and small businesses to thrive.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Kerrigan".

Karen Kerrigan
President & CEO

Protecting Small Business, Promoting Entrepreneurship

800 Connecticut Ave. NW • Suite 300 • Washington, D.C. 20006 • (703)-242-5840

www.sbecouncil.org

March 7, 2025

The Honorable Joni Ernst
Chair, Committee on Small Business & Entrepreneurship
United States Senate
Washington, D.C. 20510

The Honorable Ed Markey
Ranking Member, Committee on Small Business & Entrepreneurship
United States Senate
Washington, D.C. 20510

Subject: Support for the Nomination of Dr. Casey Mulligan as Chief Counsel for Advocacy, SBA Office of Advocacy

Dear Chair Ernst and Ranking Member Markey,

We are writing to express our strong support for the nomination of Dr. Casey Mulligan as the Chief Counsel for Advocacy in the U.S. Small Business Administration's Office of Advocacy. His distinguished career as an economist, researcher, and policy expert uniquely positions him to be a champion for America's small businesses and entrepreneurs.

Dr. Mulligan's extensive experience in economic policy, regulatory analysis, and market dynamics will be invaluable in ensuring that the voices of small businesses are effectively represented in regulatory matters. His previous service as Chief Economist for the Council of Economic Advisers demonstrated his deep understanding of the challenges and opportunities facing small businesses, particularly in navigating federal regulations. His scholarship at the University of Chicago has provided significant insights into economic growth, labor markets, and entrepreneurship—all critical areas for the success of small businesses.

The Office of Advocacy plays a crucial role in shaping policies that support small business growth, and it is essential that it be led by someone with both academic expertise and real-world policy experience. Dr. Mulligan's commitment to data-driven analysis and regulatory fairness will ensure that small businesses are not unduly burdened by federal regulations while still promoting economic innovation and job creation. Furthermore, his leadership will be instrumental in upholding the principles of the Regulatory Flexibility Act (RFA), ensuring that federal agencies consider the economic impact of regulations on small businesses and explore less burdensome alternatives whenever possible.

Given his impressive qualifications and dedication to economic advocacy, we respectfully urge the Committee to swiftly confirm Dr. Mulligan as the Chief Counsel for Advocacy. His leadership will undoubtedly contribute to a stronger and more prosperous small business environment in the United States.

Thank you for your time and consideration.

A handwritten signature in blue ink, reading "Thomas M. Sullivan". The signature is fluid and cursive, with the first name "Thomas" and last name "Sullivan" clearly legible.

Thomas M. Sullivan
Chief Counsel for Advocacy
2002-2008

A handwritten signature in black ink, reading "Winslow L. Sargeant". The signature is cursive and elegant, with the first name "Winslow" and last name "Sargeant" clearly legible.

Winslow L. Sargeant, Ph.D.
Chief Counsel for Advocacy
2010-2015

Chair Ernst

Combating SBA Fraud

I serve as Chair of the Senate DOGE Caucus. Republicans have a public mandate and a rare opportunity to expose programs for what they have become—multi-million-dollar boondoggles. DOGE has already uncovered over 5,000 SBA loans made to business owners 11 years old and younger.

QUESTION 1:

I have long been concerned about loans made under fraudulent use of social security numbers. The Pandemic Response Accountability Committee (PRAC) estimates the fraud is upwards of \$5.4 billion. Will you commit to examining programs to root out fraudulent actors?

Yes. If confirmed, I will work with Administrator Loeffler to examine all SBA programs, in support of her commitment to crack down on pandemic-era fraud and fraudsters.

QUESTION 2:

How do you propose we meet our mandate to eliminate wastefulness and inefficiency, while also continuing to deliver the best services to qualified small businesses?

If confirmed, I will prioritize allocating agency resources to their optimal use, while ensuring a consistent and high level of service for qualified small businesses across the country. My first action in seeking to address this mandate would be to conduct a data-driven assessment of core programs and resources used to deliver those programs. I would further work with the appropriate agency leaders to determine what programs or functions are wasteful or inefficient and seek to eliminate them.

Questions from:

Ranking Member Markey

Mr. Briggs, last week, DOGE terminated the Springfield, Massachusetts District Office's lease, three years ahead of term, leaving western and central Bay Staters without an SBA hub nearby. District Offices connect small businesses to lending services, provide contracting assistance and counseling services, and refer them to the appropriate local SBA resource partners.

QUESTION 1:

How does depriving small businesses local access to resources in Berkshire, Franklin, Hampden, and Hampshire counties improve government efficiency?

SBA's resources are freely available to all – at any one of its dozens of district offices, or online.

Mr. Briggs, it has been reported, at a minimum, that 720 employees, or 20 percent of SBA's workforce, have been terminated. Some of the personnel laid off were veterans, including service-disabled veterans. We also know that the agency has initiated further reductions in force (RIF).

QUESTION 2:

Mr. Briggs, can you commit that any RIF actions taken by the agency won't target employees for being members of a union?

If confirmed, I will follow the law.

QUESTION 3:

Can you commit to sharing any RIF and reorganization actions with this committee?

If confirmed, I am happy to work with the Committee and provide what is required by law.

QUESTION 4:

Is there anything you want to say to veterans who have honorably served this country and were terminated by the agency to meet Elon Musk's DOGE agenda?

I am not an SBA employee; thus, I do not have any insight into any personnel matters.

Mr. Briggs, as Deputy Administrator you will be charged with helping the Administrator to oversee the day-to-day operations of the SBA. Administrator Loeffler has made clear in her day one memo that the SBA will, and I quote, "...continue working closely with President Trump's DOGE as the federal government moves into a new era of accountability, transparency, and efficiency." I am all for rooting out fraud, waste, and abuse, but the recent actions by SBA, led by DOGE, are severely undermining these goals. The agency just fired the Chief Risk Officer and his staff who were tasked with investigating and mitigating fraud risk.

QUESTION 5:

As Deputy Administrator, how do you intend to help address fraud issues and mitigate fraud risk at the agency without a Chief Risk Officer?

Addressing fraud is part of restoring SBA's primary focus of helping small businesses. If confirmed, I would support efforts to enforce collections, including referral to Treasury for non-payment of financial assistance, as well as work with law enforcement to bring fraudsters to justice.

It was recently reported that one of the DOGE employees at SBA was publicly posting confidential personnel information on SBA employees for future reductions in force (RIF) actions on his public GitHub page.

QUESTION 6:

Do you think it is acceptable to post confidential personnel information to non-government databases? Shouldn't RIFs, if necessary, be conducted by upper management, like yourself, and not a DOGE minion playing with AI?

I am not an SBA employee; thus, I do not have any insight into any personnel matters.

QION 7:

Are you willing to stand up to the Administration and any DOGE employees if you see them acting in unethical or unlawful ways?

The Administration will not ask me to act in an unlawful or unethical manner.

Mr. Briggs, on March 1st, President Trump signed an Executive Order (EO) that designated English as the official language of the United States. It also revoked a former requirement that the federal government improve accessibility to resources for individuals with Limited English Proficiency. This is despite the fact that 25 percent of self-employed individuals do not speak English at home.

Mr. Briggs, you previously worked as Director for the Office of Public Outreach at the Environmental Protection Agency during which time the EPA engaged in an effort entitled "Beyond Translation." This initiative aimed to improve outreach to minority communities and highlighted agency efforts to build a diverse workforce and partner with minority-serving institutions.

I support the President's EO to establish consistency, uniformity, and clarity in how the United States and the federal government communicates.

QUESTION 8:

Mr. Briggs, based on your previous experience, do you agree SBA should continue its practice of providing services and resources in languages other than English?

I believe the SBA should continue comply with all applicable laws.

QUESTION 9:

Do you also agree that it is important for SBA to continue its partnerships with minority-serving institutions?

I believe SBA should serve all qualified small businesses, in accordance with statute.

Mr. Briggs, your past work history, both at SBA and after your time at SBA, seems to indicate that you believe that financial technology companies should have significant role in expanding access to capital to small businesses. However, there have been bipartisan concerns about SBA's ability to properly oversee new non-bank lenders to include financial technology companies in the 7(a) program, as well as the agency's ability to oversee Lender Service Providers, many of which are financial technology companies.

QUESTION 10:

Mr. Briggs, do you believe there needs to be an expansion of the use of financial technology companies in the 7(a) program, such allowing more non-bank lenders into the program? If so, what guardrails need to be put in place to sure this technology is used to expand lending to underserved areas in a safe and prudent manner?

I believe the immediate and overwhelming challenge facing the 7(a) loan program is overall program integrity given a negative cash flow in the program for the first time in 12 years. Establishing proper guardrails for borrowers and lenders alike, to ensure the program does not cost taxpayers more money (i.e. not maintain subsidy neutrality), should be considered before any expansion of the program. I support innovation. Furthermore, I believe traditional community financial institutions can leverage new financial technologies to help establish new markets and customers.

QUESTION 11:

Do you think SBA needs to increase staffing and resources at the Office of Capital Access and the Office of Credit Risk Management to help oversee the

increased expansion of financial technology companies in SBA lending programs?

Establishing proper guardrails for borrowers and lenders alike to ensure the program does not cost taxpayers more money (i.e. not maintain subsidy neutrality) should be the focus of preserving the flagship loan program in the Office of Capital Access. If confirmed, I will work to ensure that the Office of Capital Access and the Office of Credit Risk Management have appropriate resources to re-establish program integrity with efficiency, while maintaining accountability to taxpayers.

QUESTION 12:

Outside of the SBA lending programs, how can SBA working with financial technology companies to increase lending, in particular small dollar lending, to small businesses?

There are multiple options for SBA to work with financial technology companies to increase lending to small business. If confirmed, I would explore those options to determine how they may be best utilized.

QUESTION 13:

Financial institutions made \$40 billion in fees from the pandemic programs. Will you commit to holding financial institutions accountable for their role in pandemic fraud?

If confirmed, I will work with Administrator Loeffler, SBA staff, and law enforcement to examine the origins and methods used by fraudulent actors to illegally obtain loans. Subsequently, I would seek to explore every option available to hold fraudsters accountable.

Questions from:

Senator Cantwell

Tariffs

Mr. Briggs, we discussed tariffs briefly at the hearing. I want to follow up on my concern about the president's tariff-first policy, which I see as putting up barriers for our small businesses rather than creating opportunity.

I know small businesses struggle when we close off foreign markets to U.S. producers and manufacturers, whether it is exports to grow a business, or inputs like potash or aluminum – or access to foreign manufacturing. Serious harm happens when we impose tariffs and when we are hit with retaliatory tariffs. Our family farmers are hurt. For example, as a result of President Trump's 2018

tariffs – and the resulting retaliatory tariffs – Washington State’s apple sales to India sunk from \$120 million per year to just over \$1 million.

Washington state depends on trade by companies of all sizes. Two in five jobs in Washington are tied to trade, making us the most trade dependent state in the nation. We need to be opening markets through good deals for American businesses and consumers, not cutting off markets.

QUESTION 1:

Do you recognize the harms that tariffs do to U.S. small businesses and will you advocate for trade policies that are good for those small businesses, rather than the tariff-first policy that hurts our small businesses?

I recognize that 99% of manufacturing companies are small businesses. I support the President's efforts to enhance our countries' trade policies, in order to bring manufacturing back to our country and generate the next blue-collar boom.

DOGE and Office Closures

This administration has been taking a reckless, dangerous approach to SBA oversight. The Department of Government Efficiency fired, un-fired, and then re-fired hundreds of SBA employees earlier this month, for no reason. About 720 employees at SBA have lost their jobs, 20% of the agency’s workforce.

Now we are hearing that SBA will move district offices from cities which the Administrator describes as immigration “sanctuary cities.” That could include Seattle. I am not sure what the relationship between serving small businesses and immigration is – other than the fact that small businesses need and hire immigrants.

We need dedicated SBA employees and field offices to implement programs. Firing employees and closing down offices is the wrong approach and will hurt small businesses.

QUESTION 2:

In your testimony, you said you want to, quote, “unlock an entirely new era of growth and opportunity.” I want to increase innovation and economic growth, too – and I recognize that the great programs that SBA administers help businesses gain access to capital and grow the economy. How does firing the dedicated SBA staffers who support small businesses and administer these programs help unlock growth and opportunity?

I am not an SBA employee; thus, I do not have any insight into personnel actions of the agency. However, if confirmed, I will work to ensure that agency

resources deliver a high level of service for core SBA functions to qualified small businesses.

QUESTION 3:

If confirmed, will you commit to advocating against arbitrarily closing SBA field offices in cities like Seattle?

If confirmed, I will work to allocate agency resources to their optimal use while ensuring a consistent and high level of service to qualified small businesses across the country.

Questions from:

Senator Shaheen

QUESTION 1:

I know you were at the SBA Office of Capital Access during the previous Trump Administration, including during the Paycheck Protection Program. Can you describe your experience working with the SBA district offices during that time and how you plan to work with SBA's district offices if confirmed?

Prior to the Paycheck Protection Program, I helped lead internal agency efficiency efforts including the Field Alignment and Rebranding efforts launched under then-Administrator Linda McMahon. These efforts improved how the agency provides consistent, uniform service and products across the country. From these experiences, and from the COVID era, I view the field offices as where SBA accomplishes much of its mission. If confirmed, I would focus on ensuring that district offices effectively and efficiently deliver core SBA functions for qualified small businesses.

QUESTION 2:

From your time at the SBA Office of Capital Access, what types of information does the SBA require in order to approve a 7(a) loan to a small business?

Depending on the type of 7(a) loan, a lender seeking an SBA guarantee for a small business loan must seek certain information from borrowers. Generally, all borrowers must be able to prove that the business is a for-profit entity owned and operated in the United States and meet the respective program eligibility requirements. The business must provide the lender with enough financial information about the business, which may include financial

statements, tax documents, business plans and use of loan proceeds to determine the business' ability to repay the loan with an SBA guarantee. The specific eligibility and documentation requirements are detailed in the Standard Operating Procedure document maintained by the Office of Capital Access.

Questions from:

Senator Hirono

Sexual Harassment

As part of my responsibility as a member of the Senate Small Business Committee and to ensure the fitness of nominees for appointed positions, I am asking nominees to answer the following two questions.

QUESTION 1:

Since you became a legal adult, have you ever made unwanted requests for sexual favors or committed any verbal or physical harassment or assault of a sexual nature?

No, I have not.

QUESTION 2:

Have you ever faced discipline or entered into a settlement related to this kind of conduct?

No, I have not.

Trump Loyalty

President Trump has signaled that personal loyalty is the most important factor when he selects his nominees. But, if confirmed, your oath will be to the U.S. Constitution and your responsibility will be to the American people.

QUESTION 3:

If the President, either directly or indirectly, asks you to do something illegal or improper, would you push back and follow the law?

The President would never directly or indirectly ask me to do something illegal or improper. If confirmed, I will always follow the law.

Lahaina Wildfires

If confirmed to be Deputy Administrator, you would largely be responsible for the day-to-day operations at SBA. Given the importance of SBA's role in disaster response, I am asking for your full commitment to making sure the agency continues to provide states with the assistance they need following disasters like the Lahaina Wildfires, which devastated an entire community in 2023.

QUESTION 4:

Do you commit to making sure SBA continues to support states following disasters?

If confirmed, I would ensure SBA supports states in providing the necessary disaster assistance, in accordance with the law.

Questions from:

Senator Rosen

DOGE Actions Against SBA

Like numerous other agencies, SBA is currently facing an attack from DOGE that is hampering the agency's ability to carry out its mission and help small businesses succeed. Since I entered Congress, I have worked to fight government waste and look after American taxpayers' hard earned money. However, the irresponsible and unjust firing of nearly one fifth of SBA's workforce is not the way to do it, nor is the threat of freezing vital government assistance that our small businesses rely on.

I am deeply concerned that these actions will hurt small businesses in my state that use SBA programs to start and grow their business, rebuild in the wake of a disaster, gain access to mentorship and counseling, and compete for federal contract opportunities.

QUESTION 1:

If confirmed, how will you ensure that any staff reductions, funding freezes, or future actions by DOGE do not limit small businesses' access to SBA resources, especially in rural or disadvantaged areas that historically lack access to federal resources?

As I am not at SBA, I am not able to comment on specific personnel actions. However, I believe that there are efficiencies to be gained at SBA, given my prior experience at the agency. If confirmed, I will work to ensure that agency resources deliver a high level of service to qualified small businesses for core SBA functions.

SBA Resource Partner Funding

SBA has an extensive network of resource partners that provide critical support to small businesses – from Veteran Business Outreach Centers, to Small Business Development Centers, to SCORE mentoring services. These resource partners are vital components of Nevada’s small business ecosystem, and our veteran-, women-, and minority-owned small businesses rely on them to access the resources they need to grow and thrive. Any reduction in resource partner funding could hurt their ability to provide the tailored assistance our entrepreneurs deserve.

QUESTION 2:

I have learned that SBA is currently not paying invoices to resource partners for work already completed until the agency issues amended awards to align with the President’s recent executive orders. This is unacceptable, as resource partners rely on these payments to continue providing the services small businesses rely on. When can resource partners expect to receive payments, and how will SBA ensure that resource partners have the information they need to comply with any new requirements?

I am not an SBA employee; thus, I do not have any insight into resource partners’ invoice payments, nor any related future plans.

QUESTION 3:

Will you commit to supporting continued robust funding for SBA resource partners? How will you increase awareness of existing SBA and partner resources for small business owners in both urban and rural communities, so that ALL of our small businesses can learn about the opportunities that are available to them?

If confirmed, I would support effective and efficient partnerships with SBA’s respective resource partners. I would increase awareness of existing SBA and partner resources by first evaluating the effectiveness of current engagement efforts. Then, I would seek to shift focus to pursuing efforts that are most effective.

Engagement with Womply

In April 2020, the bipartisan House Select Subcommittee on the Coronavirus Crisis was established to examine the use of taxpayer funds and relief programs to address the pandemic, including reports of fraud, waste, and abuse within those programs. In December 2022, the Select Subcommittee released a report entitled "We Are Not the Fraud Police: How Fintechs Facilitated Fraud in the Paycheck Protection Program (PPP)" which investigated the role of fintechs in facilitating a disproportionately high rate of fraudulent and ineligible PPP loans.¹

The investigation found that two fintechs – Womply and Blueacorn – facilitated nearly one third of PPP loans in 2021 and did not have sufficient protocols in place to detect and prevent fraud. These companies benefitted greatly from the PPP program, as lenders paid Womply over \$2 billion in processing fees for their services screening PPP loans for eligibility. In addition to Womply's inadequate fraud prevention efforts, the Select Subcommittee found that the company did not cooperate with federal fraud investigators who were working to catch fraud in the PPP program. Ultimately, the report found that Womply's lax screening protocols earned them a reputation as the easiest path to acquiring a PPP loan, leading suspected drug gangs and other criminal enterprises to use Womply's services to gain access to PPP funding.

In December 2022, in response to the Select Subcommittee's report, SBA prohibited Womply and Blueacorn from working with the agency "in any capacity."²

QUESTION 4:

In 2021, you participated in a webinar³ with Womply's CEO, Toby Scammell, who was convicted for insider trading in 2014 and subsequently barred from participating in the securities industry. What was the extent of your relationship with Womply during your time at SBA, and what is the current status of your relationship?

During my prior service at SBA, I participated in dozens of webinars, because I was tasked by the Administrator to engage numerous large volume lenders or service providers to ensure that the agency was aware of operational challenges facing small business borrowers. I do not have a relationship with Mr. Scammell or Womply.

QUESTION 5:

In your capacity as Acting Associate Administrator in SBA's Office of Capital Access, what steps did you take to ensure that adequate fraud prevention efforts were taken by fintechs like Womply?

During my time as Acting Associate Administrator in SBA's Office of Capital Access, SBA implemented a series of 'upfront' controls in SBA systems to prevent ineligible loans from being processed. More upfront confirmation was required to have these loans approved. For example, efforts included the use of automated platforms to detect potential fraudulent, misleading, or inconsistent information from borrowers which could suggest potential ineligible applications. Where flags were raised, loans were not immediately processed and further reviewed. Fintech service providers work with their associated SBA lenders, who are bound by third party program guidelines and reviewed by OCRM for compliance.

QUESTION 6:

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¹<https://coronavirus-democrats-oversight.house.gov/news/reports/new-select-subcommittee-report-reveals-how-fintech-companies-facilitated-fraud-paycheck> ²
<https://www.sba.gov/article/2022/dec/08/us-small-business-administration-statement-house-select-subcommittee-coronavirus-crisis-report> ³
<https://x.com/womply/status/1351582692840714240>

What lessons have you learned from this experience, and how will you apply those lessons in your role as Deputy Administrator, if confirmed?

I have learned many lessons from my prior service at SBA. The first lesson is to prepare for unimaginable disasters and ensure that agency resources can scale appropriately in a short time. The agency must never be in a situation where there are not enough resources in the disaster funds for probable disasters, as was the case in 2024 when the agency was not able to provide financial assistance for 66 days. Another lesson I learned is to have headquarters and program offices interact with field offices on internal efficiency projects to ensure silos are less prevalent and relationships are established before a crisis. Finally, I believe SBA has an opportunity to be transformed for the better and meet the relevant challenges and opportunities facing small businesses with respect to advanced manufacturing, artificial intelligence, and excessive regulation.

Support for Immigrant-Owned Businesses

Nevada's immigrant community is part of the diverse fabric that makes our state great. From restaurants on the Las Vegas strip to small, independent businesses in Midtown Reno, immigrant-owned businesses drive local economic growth and keep our state economy running.

In Nevada alone, there are nearly 41,000 immigrant entrepreneurs who generate \$1.5 billion in business income for the state each year. This success is

represented nationally, with immigrants making up 14 percent of the U.S. population but owning nearly a fifth of U.S. businesses.

QUESTION 7:

Do you agree that immigrant-owned businesses deserve equal access to SBA resources?

I support equal access to all SBA resources for all qualified small businesses.

QUESTION 8:

Under your leadership, what steps will SBA take to support immigrant-owned businesses?

If confirmed, I would work to ensure that SBA is effectively serving all qualified small businesses by cutting unnecessary regulation, eliminating waste and fraud, streamlining and modernizing services, and refocusing the agency on its core mission of helping entrepreneurs thrive.

Child Care Shortage

The rising cost of child care and the severe shortage of affordable options are financially squeezing Nevada families. Lack of access to child care is a problem for small businesses and parents alike – it creates a barrier for parents who want to start or grow their business, and also makes it difficult for small businesses to retain employees who may struggle to find affordable child care.

I am proud to have partnered with Chair Ernst on the Small Business Child Care Investment Act, which will increase the availability of affordable, high-quality child care for working families by allowing non-profits to access the same SBA loan programs that eligible for-profit providers can access. Our bipartisan bill advanced out of this committee in February, and I look forward to getting it over the finish line this year.

QUESTION 9:

What steps will you take, if confirmed, to support small business child care providers?

If confirmed, I would be open to learning how the Office of Capital Access and SBA can work toward addressing the issue you have raised.

QUESTION 10:

Are you open to expanding access to SBA resources and loans to nonprofit providers?

If confirmed, I would be open to learning more about this policy consideration in consultation with the Office of Capital Access and SBA counsel.

Travel and Tourism Businesses

Travel and tourism are the backbone of Nevada's economy. From world-class events on the Las Vegas strip to outdoor recreation on our public lands, Nevada's exciting entertainment and natural beauty attract visitors from around the world. These features not only bring visitors to the state, but also draw in small businesses wanting to participate in our booming tourism economy.

While Nevada is often known for its large casinos on the Las Vegas strip, these large businesses make up only one percent of our thriving business community. In Nevada, 99 percent of all businesses are small, so we understand the importance of small businesses to our local economy.

QUESTION 11:

You discussed with my team the importance of agency coordination. How will you support travel and tourism small businesses?

If confirmed, I would work with other relevant federal agencies who are tasked with supporting tourism for qualified small businesses and identify opportunities for SBA to better serve them.

QUESTION 12:

How will SBA coordinate with other agencies tasked with supporting tourism, including the National Travel and Tourism Office in the Department of Commerce?

If confirmed, I would be happy to work with the Department of Commerce in supporting qualified small businesses whose businesses are tied to tourism with a goal of identifying opportunities for SBA to better serve them

Questions for Dr. Casey Mulligan**Questions from: Chair Ernst**Advocacy's Research Function

Dr. Mulligan, you have an extensive academic and economic research background. One of the primary functions of the Office of Advocacy is to conduct research and provide data to support policy recommendations.

QUESTION 1:

If confirmed, how will you balance Advocacy's dual roles of championing small businesses and conducting original research?

A1. One of the challenges for agencies to consider the effects of their regulations on small business is a lack of data. Advocacy's Office of Economic Research should collect and curate data on the small business economy to facilitate agency compliance with the Regulatory Flexibility Act.

The small business economy also changes rapidly, rendering previous data obsolete and a poor guide for policymaking by the Executive and Legislative Branches. Small business are better served by an Office of Advocacy that provides policymakers with up-to-date data.

QUESTION 2:

If confirmed, will you commit to regularly updating the Committee as you develop Advocacy's annual research agenda?

A2. Yes. I would also seek input from the Committee on research topics.

Questions from: Ranking Member Markey

Dr. Mulligan, we know that small business owners need certainty to be successful, but when we have a president who makes up policies on a whim, it is hard to plan for the future. You acknowledged the President's erratic communication in your book when you described his tweets as "bizarre, bombastic, and sometimes hilarious." Sadly, it is not hilarious when small businesses have no certainty and cannot make budgeting or hiring decisions. It's not a coincidence that small business hiring and average revenue is down during the first full month of the Trump Administration.

QUESTION 1:

Would you agree that whipsawing small businesses with impulsive, unpredictable policy changes has a damaging effect on their ability to run their day-to-day operations?

A1. Research by Baker, Bloom, and Davis (*Quarterly Journal of Economics* 2016) suggests that, all else the same, economic-policy uncertainty is unwelcome by businesses. Businesses benefit from a robust economy and low taxes, and are harmed by regulatory overreach.

The history of small business in the US has been one of instability from regulations and other policies. Congress and entities like Advocacy have provided, and should continue to provide, a more durable policy environment for small business.

QUESTION 2:

As head of Advocacy, would you commit to raising concerns of small businesses not only with respect to regulations, but also the President's yo-yoing policies on tariffs and immigrant visas – both of which are already affecting small businesses?

A2. The Office of Advocacy is the independent voice of small businesses in the federal government. If confirmed as its Chief Counsel, I would voice their concerns even regarding policies that are not tied to a particular proposed rule.

Dr. Mulligan, in your academic work, you have called into question the value of sick leave. You oppose increasing the minimum wage. You have said that the Great Recession, which most of us agree was precipitated by systematic failure in the mortgage industry, was actually caused by healthcare subsidies and unemployment benefits. In the midst of the worst economic collapse in nearly a century, you described those benefits as "trickle-down fraud."

QUESTION 3:

Yes or no, do you believe in climate change and, if so, that it will affect our economy in a substantial way?

A3. I am not a climate scientist and do not have “beliefs” related to climate change.

QUESTION 4:

Do you think that insurers should be able to discriminate against employees with pre-existing conditions?

A4. The Office of Advocacy is the independent voice of small businesses. To the extent that small businesses express concerns about the prices or characteristics of insurance policies, I would, if confirmed, communicate those to the relevant agencies.

QUESTION 5:

Do you think workers are entitled to a minimum wage?

A5. Congress has established a federal minimum wage, and small businesses must comply with it. The Office of Advocacy’s role is not to determine whether a minimum wage should exist but to ensure that small business perspectives on labor policies are heard and communicated to policymakers. The Office of Advocacy has a strong record of carrying out that function.

QUESTION 6:

Dr. Mulligan, it is my belief that the goal of this committee should be to support small businesses and create a ruthless Darwinian marketplace. We know that regulatory compliance is much harder for small businesses. They can’t possibly compete with big businesses when they have to dedicate a huge amount of their resources to regulatory compliance. Unfortunately, some people here in Congress take that as an invitation to get rid of all regulations rather than making it easier for small businesses to comply.

QUESTION 7:

How can we carefully tailor regulations so that they accomplish their intended purpose, but don’t put small businesses at a disadvantage?

A7. The tailoring of regulations would depend on the regulation under consideration and what concerns are expressed by small businesses. A fairly common pattern is the one I observed in my 2017 survey of small business and in my 2024 *Journal of Law and Economics* article. Namely,

compliance costs do not scale with the size of the business. Regulations often have a greater effect on a business' viability when it is a two-person company than a 500-employee company.

The special circumstances of small businesses is emphasized in the Regulatory Flexibility Act, particularly 5 USC 603(c). Agencies are directed to consider "any significant alternatives to the proposed rule which accomplish the stated objectives of applicable statutes and which minimize any significant economic impact of the proposed rule on small entities."

Dr. Mulligan, as you know, many, but not all, things are quantifiable. We may be able to measure how much asthma rates went down after the passage of the Clean Air Act, but we cannot measure how many young Americans went on to become doctors, teachers, or entrepreneurs and live happier lives because they grew up during an era with cleaner air. This is just as much of an outcome as the decrease in asthma rates as a whole, but is much harder to measure.

QUESTION 8:

Dr. Mulligan, how do you personally approach these questions? When evaluating the costs versus benefits of a regulation, how do you factor in quality of life?

A8. The Office of Advocacy is the independent voice of small businesses. Neither the office, nor its Chief Counsel, is tasked with balancing costs versus benefits of regulations. Its job is to communicate the concerns of small businesses to the regulating agency so that the regulating agency may, under the Regulatory Flexibility Act (RFA), meaningfully consider those concerns as it balances costs versus benefits. If confirmed as Chief Counsel, I would act in accordance with the RFA and other relevant statutes.

As you know, I am deeply concerned about the irreversible damage global warming is causing our nation. More frequent and more powerful disasters will have untold costs to our economy. Sadly, it seems the Trump Administration wants to pretend environmental degradation doesn't have a cost. To give an example, when the Trump Administration gutted our clean water rules in his first term, they didn't consider how this would affect fishermen or tourism businesses that depend on clean water. But at Advocacy, you are statutorily tasked with assessing the effect of regulations on all small businesses, not just those in certain industries.

QUESTION 9:

Can you commit to me that you will consult with and reflect the views of small businesses that rely on clean air and water as you assess the Trump Administration's efforts to strip environmental regulations from the books?

A9. I have met with the previous four Chief Counsels, going back to 1994. Each shared how they were able to communicate concerns expressed by small businesses even when the concerns were not harmonious with part of the President's agenda. I have also carefully studied several comment letters that prior Chief Counsels submitted to that effect.

If confirmed as Chief Counsel, I and the Office of Advocacy would communicate the concerns of small businesses regarding environmental regulatory actions without prejudice or favor.

Questions from: Senator CantwellTariffs

Dr. Mulligan, we discussed tariffs briefly at the hearing. I want to follow up on my concern about the president's tariff-first policy, which I see as putting up barriers for our small businesses rather than creating opportunity.

I know small businesses struggle when we close off foreign markets to U.S. producers and manufacturers, whether it is exports to grow a business, or inputs like potash or aluminum – or access to foreign manufacturing. Serious harm happens when we impose tariffs and when we are hit with retaliatory tariffs. Our family farmers are hurt. For example, as a result of President Trump's 2018 tariffs – and the resulting retaliatory tariffs – Washington State's apple sales to India sunk from \$120 million per year to just over \$1 million.

Washington state depends on trade by companies of all sizes. Two in five jobs in Washington are tied to trade, making us the most trade dependent state in the nation. We need to be opening markets through good deals for American businesses and consumers, not cutting off markets.

QUESTION 1:

Dr. Mulligan, do you think the President's tariff-first approach is helpful to our small businesses? Can you describe the impact tariffs on Mexico and Canada, two of our largest trading partners, will have on American small businesses and the U.S. economy in general?

A1. The 2024 RNC Platform, which was introduced by candidate Trump and affirmed by vote of the 2024 RNC Platform Committee, says that import tariffs would be used to reduce taxes. I expect that the tax reduction is important to small businesses, given how frequently they report high taxes to be a major concern.

Trade policies could also affect small businesses through a variety of other factors such as their supply chain, exporting decisions, and whether they have fixed-price sales contracts. Therefore, an essential first step in understanding how trade policy affects small businesses is to hear from them directly.

If confirmed as Chief Counsel, I and the Office of Advocacy would communicate the concerns of small businesses regarding trade policy without prejudice or favor. I do not prejudge whether or how those concerns would be in opposition to, or in favor of, administration policy.

QUESTION 2:

In your position as Chief Counsel for the Office of Advocacy, you indicated you would go out to listen to small businesses and take what you learn back to the administration. I expect you will hear about how small businesses suffer with tariffs and retaliatory tariffs. Your job is to advocate

for government policies that help, not hurt, America's small businesses. If you are confirmed, will you commit to advocate within the administration in opposition to tariffs as harmful to America's small business backbone?

A2. I have met with the previous four Chief Counsels, going back to 1994. Each shared how they were able to communicate concerns expressed by small businesses even when the concerns were not harmonious with part of the President's agenda. I have also carefully studied several comment letters that Chief Counsels submitted to that effect.

If confirmed as Chief Counsel, I and the Office of Advocacy would communicate the concerns of small businesses regarding trade policy without prejudice or favor. I do not prejudge whether or how those concerns would be "in opposition to," or in favor of, administration policy.

Employee Rights

Paid family and medical leave can benefit the economy, increase women's labor force participation, and boost business productivity. It's also the right thing to do for workers. Washington state passed a bipartisan, comprehensive paid family and medical leave law in 2017. I'm a strong supporter of that law, and I believe we should have comprehensive leave policies at the federal level.

The minimum wage hasn't increased at the federal level since 2009, when it increased to \$7.25 per hour. Washington state has been a leader in putting workers first, including by raising the minimum wage. Our minimum wage is currently \$16.66 per hour. Washington state is proof that we can grow our economy while providing people with higher wages.

However, Dr. Mulligan, you've previously questioned the value of paid leave and the minimum wage. I'd like to learn more about your current views on those important worker protection issues. Please answer the questions below and explain in some detail your answers.

QUESTION 3:

Do you believe the federal minimum wage should be raised? If not, should it be reduced, and by how much?

A3. I have written extensively on price regulation, of which minimum wage laws are an example. All of that work notes that price regulations have economic consequences. It is the job of policymakers to consider whether economic and other consequences, on the whole, are acceptable. My writings do not take a position on whether the federal minimum wage should be increased or decreased.

The Office of Advocacy is the independent voice of small businesses. Neither the office, nor its Chief Counsel, is tasked with balancing costs versus benefits of price regulations. Its job is to communicate the concerns of small businesses to the regulating agency so that it may, under the Regulatory Flexibility Act (RFA), meaningfully consider those concerns as it balanced costs

versus benefits. If confirmed as Chief Counsel, I would act in accordance with the RFA and other relevant statutes.

QUESTION 4:

Do you agree with the research that demonstrates that paid family leave benefits businesses, including small businesses?

A4. I am not familiar with the research that you are referencing. A number of businesses have voluntarily included paid family leave as part of their employee-benefit packages. As an economist I have a strong presumption that businesses making that choice do so because it benefits their business.

QUESTION 5:

Do you believe workers should receive some level of paid family and medical leave?

A5. Paid family and medical leave is a policy issue that involves trade-offs for both workers and employers. I have hired employees who wanted paid time off, and provided it as a benefit. I have interviewed other employees who preferred higher salary to fringe benefits.

QUESTION 6:

Do you envision advocating for any changes to minimum wage or paid leave policies at SBA?

A6. The Office of Advocacy is an independent office and does not set policy for SBA. The Office has historically listened to the concerns of small businesses regarding SBA policies, and communicated those concerns to the SBA Administrator, who is also subject to the Regulatory Flexibility Act. If confirmed, I would continue that practice.

Questions from: Senator Shaheen

Dr. Mulligan, the position you're nominated for is focused on being an advocate for small businesses, even, and I think especially, in pushing back against Administration actions.

As I'm sure you know, many small businesses in New Hampshire and across the country are concerned about the impact tariffs have on their businesses, and especially with the uncertainty they face with rapid swings in tariff policy.

QUESTION 1:

In 2019, you said on WGN Radio that "tariffs are going to be costly while you have them." Do you still believe that is correct? And how does that shape your views on permanent or longrunning tariffs?

A1. The 2024 RNC Platform, which was introduced by candidate Trump and affirmed by vote of the 2024 RNC Platform Committee, says that import tariffs would be used to reduce taxes. That is fundamentally different from the tariff policy of the first Trump administration, as I understood it then.

Trade policies could also affect small businesses through a variety of factors such as their supply chain, exporting decisions, and whether they have fixed-price sales contracts. Therefore, an essential first step in understanding how trade policy affects small businesses is to hear from them directly.

If confirmed as Chief Counsel, I and the Office of Advocacy would communicate the concerns of small businesses regarding trade policy without prejudice or favor. I do not prejudge whether or how those concerns would be in opposition to, or in favor of, administration policy.

QUESTION 2:

Last year, you were asked if you agreed with the statement that "substituting tariffs for income taxes is a way to hit hard low- and middle-income Americans and reward the top" and you said you agreed. Do you still believe that, and, if confirmed, how do you plan to incorporate that into your advocacy for small businesses?

A2. If confirmed as Chief Counsel, I and the Office of Advocacy would communicate the concerns of small businesses regarding trade policy without prejudice or favor.

I am not aware of having said, or having agreed with, the quote you provided. I was on a CNBC program where I disagreed with another guest who characterized tariffs as "regressive."

QUESTION 3:

This week, the White House Press Secretary said “Tariffs are a tax cut for the American people.” Do you agree that a new tax that collects revenue could somehow be a tax cut?

A3. I have not seen the full context of the quote you provided. Lacking that context, my best guess is that it refers to the tax cuts referenced in the aforementioned trade-policy section of the 2024 RNC platform. Namely, the platform said that tariffs would be used to finance tax cuts.

On March 14, Secretary of State Rubio published a determination in the Federal Register (90 FR 12200) stating in part “I hereby determine that all efforts, conducted by any agency of the federal government, to control the status, entry, and exit of people, and the transfer of goods, services, data, technology, and other items across the borders of the United States, constitute a foreign affairs function of the United States under the Administrative Procedure Act.”

QUESTION 4:

If significant actions around trade and other issues impacting small businesses are not required to go through traditional notice and comment rulemaking, how does that affect the ability for small businesses’ voices to be heard and considered by the Administration?

A4. Some, but not all, of the tools available to the Office of Advocacy and its Chief Counsel relate to the traditional notice and comment rulemaking. Other tools include Congressional testimony and formal reports to Congress and the President.

QUESTION 5:

This decision appears to undermine the role of the Office of Advocacy in commenting on administrative actions – do you believe this will affect your ability to advocate for small businesses?

A5. To the extent that administration actions are taken without notice and comment, that reduces the size of the toolkit that the Office of Advocacy and its Chief Counsel have to be an independent voice for small businesses.

Questions from: Senator Hirono

Sexual Harassment

As part of my responsibility as a member of the Senate Small Business Committee and to ensure the fitness of nominees for appointed positions, I am asking nominees to answer the following two questions.

QUESTION 1:

Since you became a legal adult, have you ever made unwanted requests for sexual favors or committed any verbal or physical harassment or assault of a sexual nature?

A1. No.

QUESTION 2:

Have you ever faced discipline or entered into a settlement related to this kind of conduct?

A2. No.

Trump Loyalty

President Trump has signaled that personal loyalty is the most important factor when he selects his nominees. But, if confirmed, your oath will be to the U.S. Constitution and your responsibility will be to the American people.

QUESTION 3:

If the President, either directly or indirectly, asks you to do something illegal or improper, would you push back and follow the law?

A3. President Trump would never ask me to do that. Every Executive Order from President Trump that I have seen – from both of his terms in office – clearly specify that “This order shall be implemented consistent with applicable law” or something to that effect. If an executive order were, in this regard, to say the opposite of what hundreds of other executive orders signed by President Trump did, I would contact the West Wing and let them know they must have made a typographical error.

I would follow the law. I understand, if confirmed, that both Congress and President Trump direct me to do so.

