

# Congress of the United States

U.S. House of Representatives

Committee on Small Business

2361 Rayburn House Office Building

Washington, DC 20515-6515

September 20, 2021

The Honorable Nydia Velázquez  
Chairwoman  
House Committee on Small Business  
2361 Rayburn Building  
Washington, DC 20515

Dear Madam Chairwoman:

I write to express my profound frustration that the Secretary of the Treasury, Janet L. Yellen, is continuing her refusal to testify before the House Committee on Small Business on the operation of COVID-19 small business relief programs. This is a complete violation of the law and it cannot stand. We have waited patiently for months for her to provide a date for her testimony. I ask you now to issue a subpoena compelling her to testify without any further delay.

This is not merely a request or invitation to testify made by a standing full committee of the House of Representatives. In fact, this is a statutory requirement of a law of the United States. Under the Consolidated Appropriations Act of 2021,<sup>1</sup> the Secretary of the Treasury and the Administrator of the Small Business Administration are statutorily required to testify before the House Committee on Small Business on the operation of the COVID-19 relief programs within 120 days of the enactment of the Act. This requirement is critically important and not merely a passing whim. In order to determine whether COVID-19 small business programs are achieving the goals Congress has set and meeting the needs of small businesses that are struggling to survive the pandemic, we must receive testimony from the Secretary of the Treasury and the Administrator of the Small Business Administration, whose agencies are responsible for administering the small business federal relief programs.

It has now been 147 days since that statutory 120 day deadline expired. As you will recall, during the previous Administration, on July 17, 2020, both Small Business Administration Administrator Jovita Carranza and Secretary of the Treasury Steven Mnuchin willingly testified before our Committee on the COVID-19 small business programs,<sup>2</sup> and on May 26, 2021, SBA

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<sup>1</sup> 134 STAT. 281 (2020).

<sup>2</sup> *Oversight of the Small Business Administration and the Department of the Treasury Pandemic Relief Programs: Hearing Before the Comm. on Small Bus.*, 116<sup>th</sup> Cong. (2020), available at <https://www.govinfo.gov/content/pkg/CHRG-116hrg41299/html/CHRG-116hrg41299.htm>.

Administrator Isabella Guzman willingly testified before the Committee as required by law.<sup>3</sup> At the hearing, you rightly admonished Secretary Yellen for failing to appear. Later that same day, all Small Business Committee Republican Members sent a letter to Secretary Yellen requesting that she provide us with her availability to testify, in person or virtually, for the month of June 2021.<sup>4</sup> We received no response.

This year, Secretary Yellen has appeared numerous times before other Congressional committees. On March 23, 2021, she testified before the House Financial Services Committee on COVID-19 programs. On June 21, 2021, she testified before the House Ways and Means Committee on the Department of the Treasury's Fiscal Year 2022 budget request. On June 23, 2021, she testified before the Senate Finance Committee on the budget request. On June 27, 2021, she testified before the House Appropriations Subcommittee on Financial Services and General Government Subcommittee.

I am told that your staff has made repeated requests to Secretary Yellen's staff that she testify before our Committee. At the Committee's hearing on September 1, 2021, Representative Jim Hagedorn asked you when Secretary Yellen will be testifying before the Committee. You responded that you and your staff have been working with her staff to identify a date.

As you are aware, under Committee Rule 11(A),<sup>5</sup> this Committee may authorize and issue a subpoena in the conduct of any investigation or series of investigations or activities to require the attendance and testimony of a witness.<sup>6</sup> A subpoena must be authorized by a vote of a majority of the Full Committee.<sup>7</sup>

We have waited patiently for months. Secretary Yellen's repeated refusals to testify are nothing less than blatant disregard for the law, small businesses, and the American people. Enough is enough. I ask that you issue a subpoena for her to testify without any further delay.

Sincerely,

A handwritten signature in black ink, appearing to read "Blaine Luetkemeyer", followed by a horizontal line.

Blaine Luetkemeyer  
Ranking Member

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<sup>3</sup> *An Examination of the Administration of COVID-19 Programs: Hearing before the Comm. on Small Bus.*, 117<sup>th</sup> Cong. (2021), available at

<https://smallbusiness.house.gov/calendar/eventsingle.aspx?EventID=3715>.

<sup>4</sup> Letter from House Committee on Small Business Republican Members to The Honorable Janet L. Yellen, Secretary of the Treasury, May 26, 2021 (on file with the Committee's Minority staff).

<sup>5</sup> RULE 11(A), RULES OF THE HOUSE COMMITTEE ON SMALL BUSINESS, 117<sup>th</sup> Cong. (2020).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*