

**NOMINATION OF WILLIAM KIRK
TO BE INSPECTOR GENERAL OF THE
SMALL BUSINESS ADMINISTRATION**

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

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**NOMINATION OF WILLIAM KIRK
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SMALL BUSINESS ADMINISTRATION**

WEDNESDAY, SEPTEMBER 10, 2025

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

The committee met, pursuant to notice, at 2:31 p.m., in Room 428A, Russell Senate Office Building, Hon. Joni Ernst, chairwoman of the committee, presiding.

Present: Senators Ernst [presiding], Young, Hawley, Husted, Markey, Hirono, Hickenlooper, and Schiff.

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 President Trump's nominee for Inspector General of the Small Business Administration, William Kirk. I'd like to welcome you here today and thank you for your willingness to serve.

Just to give folks a quick run of show, I'm going to make a brief opening statement, then I'll turn to Ranking Member Markey to do the same. Then, we will introduce the nominee, and I will administer the oath. After the oath, Mr. Kirk will be recognized for his statement. Mr. Kirk's statement will be followed by questions from our members, alternating between each side.

I now recognize myself for five minutes for an opening statement. Again, welcome to the committee, and thank you, Mr. Kirk, for your willingness to serve in this role. Today we are considering Mr. William Kirk as the nominee for a very important position of SBA's Inspector General.

I am impressed with the strong track record and integrity of the individual here today, and I appreciate the time you've spent meeting with me and my colleagues prior to this hearing. I want to take a minute to recognize your family and friends here supporting you today.

I especially want to welcome your wife, Elizabeth, and your four children; Will, Ben, Alice, and Nicholas, thank you for being here. Mr. Kirk, thank you for embracing the committee's standard, yet extensive vetting of your experience and background in advance of today's hearing and upcoming vote on your nomination.

The role of Inspector General is critical and unique, requiring complete independence and impartiality to ensure effective over-

sight and accountability at the agency. Throughout my career, I have prioritized eliminating waste, fraud, and abuse in government. I appreciate the demands and challenges of the IG role, having served as a county auditor, examining the local books, and making sure everything was above board. I've continued that work and in addition to being chair of this committee, I serve as chair of the Inspector's General Caucus.

I strongly value the partnership between IGs and Congress, and the value they provide to the country. At SBA specifically, thorough investigations are needed to ensure that those who exploited the COVID relief programs are brought to justice, and their illicit gains are returned to the American taxpayer.

In 2020, small businesses needed help, and the American taxpayers graciously provided it. It is completely unacceptable that bad actors took advantage of this emergency assistance. The SBA's Office of Inspector General estimated that more than \$200 billion in potentially fraudulent COVID relief advances and loans were disbursed in the years following the pandemic. Taxpayers want to know where their money went. Yet, the federal government has done little to hold these criminals accountable. This must change.

I'm proud to have worked across the aisle to pass out of committee earlier this year S.1199, the SBA Fraud Enforcement Extension Act, which extends the statute of limitations for crimes against the COVID-era programs, and gives the SBA IG the time necessary to fully investigate and hold fraudsters accountable. Mr. Kirk, when we met, I shared with you my belief that we must take substantial action to identify and eliminate fraud, waste, and abuse. I look forward to working with you to recover these funds.

I especially appreciate that today's nominee for Inspector General brings firsthand experience to the IG role. Mr. Kirk previously served for three years at the Environmental Protection Agency's OIG as deputy counsel to the IG, and as acting counsel to the IG. While working for the EPA, Mr. Kirk received an exceptional service award for his hard work, dedication, and invaluable contributions to the Office of Counsel and OIG, demonstrating his exceptional character and his utmost integrity.

The Office of Inspector General at the SBA is essential to the agency's oversight, and I'm pleased that the President acted swiftly with this nomination. Again, thank you, Mr. Kirk, for being here, and I look forward to your testimony.

And now, I recognize Ranking Member Markey for his opening statement.

STATEMENT OF SENATOR MARKEY

Senator MARKEY. Thank you, Madam Chair. Today, we will hear from President Trump's nominee for Inspector General at the Small Business Administration, William Kirk. We thank you, Mr. Kirk, for being here today.

I would like to take note that we are only here because earlier this year, President Trump illegally fired more than a dozen inspectors general, including the SBA's previous Inspector General Mike Ware. Mr. Ware, who notably was nominated by President Trump in 2017, was effective, diligent, nonpartisan, and independent. He held the administrations accountable regardless of

party investigating both the first Trump administration and the Biden administration.

Eight years after nominating Mr. Ware as the SBA's IG, President Trump decided to break the law, and purge Mr. Ware along with many other IGs across the government just days after his second term began. He did this because he knows that impartial watchdogs could compromise his agenda, which runs afoul of the law at every turn. And now, as we predicted, he is filling IG offices across the government with MAGA loyalists to serve as IG.

At the Department of Labor, President Trump nominated former Republican Congressman Anthony D'Esposito, who according to reports, used taxpayer dollars to enrich people in his personal life. At the Department of Veterans Affairs, he nominated Cheryl Mason, a former Trump appointee, who intimidated potential whistleblowers from coming forward, and was part of President Trump's plan to gut the VA workforce. President Trump has shamelessly nominated loyalists for IG positions at the Department of Agriculture, Health and Human Services, and even at the Pentagon.

This President clearly does not care about non-partisan oversight. The I in IG should stand for many things, like, independent or impartial, but President Trump clearly thinks it should stand for illegal, or in Trump's pocket. And now, for the SBA, President Trump has nominated Mr. Kirk to serve as the watchdog.

Unfortunately, his record of independence gives no assurance that he will be different from the rest. As the associate vice-president for residential life at Notre Dame, Mr. Kirk publicly took a stand against the university's decision to award President Barack Obama an honorary degree in 2009. Boycotting a graduation ceremony because a Democratic President is attending doesn't sound very nonpartisan to me.

We also know that as soon as President Trump took office, Mr. Kirk left his nonpartisan job at the Environmental Protection Agency's IG office for a high-ranking political role at the Department of Education. As we all know, the war President Trump has waged on the Department of Education has been destructive to the well-being of our nation's students. In addition to being blatantly illegal, the fact that Mr. Kirk jumped at the opportunity to help President Trump destroy the Department of Education tells us a lot about where his loyalties lie.

Inspectors general are supposed to be nonpartisan, independent. It should never support one party's agenda over another. I hope that Mr. Kirk proves today that he will take this job seriously, not simply do President Trump's bidding. However, given his past and what we know about the President's other IG nominees, I have serious concerns about this nomination.

So, I thank you Madam Chair. I look forward to the hearing.

CHAIR. Thank you, Ranking Member Markey. And next, I would like to recognize Senator Hawley from Missouri to introduce our nominee. And Senator Hawley, you are recognized.

STATEMENT OF SENATOR HAWLEY

Senator HAWLEY. Thank you very much, Madam Chair. It's my honor this afternoon to introduce my friend, William Kirk, or Bill, as most of us know him. I'm glad that President Trump made the

very wise choice to nominate Bill as the Inspector General of the Small Business Administration. And as you listen to him today, I'm pretty sure that you're going to agree.

Bill has devoted his career and considerable intellect to public service. He's proven his selfless dedication and oversight positions by conducting investigations, and while counseling leaders in federal agency exactly the right set of skills for the Inspector General post. You'll see his credentials.

Bill studied business and accountancy at the University of Notre Dame, and then graduated from Notre Dame Law School. He then spent more than two decades serving students in higher education administration, before coming to DC to answer an even bigger call to serve, or maybe it's just a bigger challenge joining the Department of Education. At DOE, he served as deputy general counsel and later returned as the acting chief of staff at the Office of the General Counsel, a job he still holds today.

He's particularly well suited for an inspector general role because of years of experience at the EPA where he served as deputy counsel to the Inspector General, and then as acting counsel to the Inspector General at both EPA and the Department of Education. Bill did really exemplary work. He was fiercely independent, he was honest, he was reliable. He guided audits and investigations with a steady hand and a kind word. He focused on the law, not on advancing anybody's political agenda.

And I think maybe most importantly, to my mind, Bill is a man who's rooted in his faith and in his family. He finds his identity there, not in the praise of any politician or the temptation of any job title. And that's exactly the kind of foundation we need in an inspector general.

His character, I suspect, goes back to his early days. He grew up in New York in a household of six other siblings where he quickly learned duty, integrity, honesty, commitment. And it's because of those values that Bill now enjoys living in University Park, Maryland, with his wife, Elizabeth, who's here with us today, and their four kids.

I know the chairwoman already introduced them, but I'll do it one more time. Will, who's 17. Ben, who's 16. Alice who's 15, and Nicholas, better known as Nico, who is 10. Congratulations on getting out of class today, Nico. [Laughter.]

They join him here in the audience, and I know they're proud of him, and they should be.

Let me just say that the role of Inspector General is so important in any agency or a part of any government. I want to underscore something the chair just said. The SBA oversees billions and billions of dollars, and you don't have to look that far back to see how important this is.

At the height of COVID, the government allotted to SBA and spent over \$1 trillion, about \$1.2 trillion, through SBA. Boy, it's important to have an Inspector General who is carefully tracking everything that the government has spent and providing accountability. I know that Bill Kirk has the character and the experience to do this job.

Bill, it's an honor to have you here. It's an honor to support your nomination, and I hope that my colleagues on both sides of the aisle will agree. Thank you, Madam Chair.

CHAIR. Thank you, Senator Hawley. Mr. Kirk, if you would rise, please. It is the tradition of our committee to swear in our nominees. 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. KIRK. I do.

CHAIR. Should you be confirmed as Inspector General of the Small Business Administration, are you willing to appear and testify before any duly constituted Committee of Congress when requested to do so?

Mr. KIRK. I am.

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

Mr. KIRK. I am.

CHAIR. Thank you. And you may now go ahead and take your seat briefly. I'd like to take a moment to explain our lighting system. There are three lights in front of you. Green means go. Yellow means you need to wrap it up, and red means the time is expired.

I ask unanimous consent that the nominee's full statement 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. KIRK, you are now recognized for five minutes for your testimony.

TESTIMONY OF WILLIAM KIRK, NOMINEE FOR INSPECTOR GENERAL OF THE U.S. SMALL BUSINESS ADMINISTRATION

Mr. KIRK. Good afternoon, Chair Ernst, Ranking Member Markey, and distinguished members of the committee. Thank you for the opportunity to appear before you today as President Trump's nominee for Inspector General of the U.S. Small Business Administration.

I am deeply honored and humbled by this nomination, and I thank President Trump for his expression of confidence in me. I approach this opportunity to serve with a profound sense of gratitude. I thank God for the gift that is my Catholic faith that leads me to love, honor, and serve him in this world with the hope of being with him in the next.

I want to thank and honor my departed parents, Walter and Alice Kirk, who were tirelessly devoted to raising their seven children to be faithful, generous, productive, and patriotic members of society. I also thank my siblings and their families, my in-laws, Pat and Alice Rhea, and my friends and colleagues, for their unwavering support and encouragement throughout my life.

Finally, I am blessed beyond measure and grateful to my wife, Elizabeth, for her love and support, and the sacrifices she makes for me and our four children; Will, Ben, Alice, and Nicholas, all of whom are here today.

President Trump has made clear his unwavering commitment to fighting fraud, waste, and abuse in the federal government. I look forward to joining this fight by applying my practical business and

executive management experience to leading the SBA's office of the Inspector General.

My first job upon graduating from the University of Notre Dame with a degree in accountancy was with the internationally renowned accounting firm, then known as Price Waterhouse, where I was a staff auditor and then senior consultant.

Working essentially full-time during law school, I was hired upon graduation by Notre Dame to serve as an assistant and then associate vice-president of the university with responsibility for supervising and managing three major departments: the disciplinary office, holding students to meaningful accountability for violating university rules and regulations; the extensive housing and residence hall system, widely regarded to be among the most successful and distinctive such programs in the country; and the University Police Department, where I oversaw and partnered with scores of sworn law enforcement officers, investigators, detectives, and security personnel.

I had a similar and expanded role at a faithful Catholic university, Ave Maria University in Florida, where I also managed their extensive real estate investments, serving as the vice-president for legal affairs and as the university's chief compliance officer. I've been privileged to provide leadership and operational supervision for multiple departments in a global forensic engineering, architecture and material sciences consulting firm, and to lead a foundation that provided scholarship assistance to elementary and secondary schools in Kansas.

With several partners, I worked on the development of a model of sustainable private equity financing intended to provide patient capital to foster the long-term stability of small and mid-sized businesses who were committed to ethical practices and upholding the dignity of their workers. I've been privileged to be a public servant, first with the Department of Education as Deputy General Counsel, and then, with the U.S. Environmental Protection Agency's Office of the Inspector General, providing counsel to the Inspector General.

In these roles, I administratively supported and provided independent legal and policy advice to the IG and the various component offices of the IG. I'm currently on detail from the EPA OIG to assist the General Counsel's Office of the Department of Education as the acting chief of staff to the Acting General Counsel.

My professional record demonstrates my integrity and the skills, knowledge, judgment, and demeanor required of an inspector general. As the nominee designate for the SBA, I am committed to upholding the values that make our nation strong, and look forward to the opportunity to serve my country, and in particular, the 36 million small businesses that are the lifeblood of our economy.

Should I be confirmed, I will maintain a steadfast commitment to fairness and objectivity, ensuring that all investigations and audits are conducted without prejudice, bias, or political favor. I am committed to ensuring fairness, accountability, and opportunity for all. I will uphold the law, and I pledge to execute the responsibilities of the Inspector General with impartiality and objectivity, fully complying with the Inspector General Act.

I assure this committee that my work will be nonpartisan, driven solely by facts in the pursuit of truth, to ensure the Small Business Administration operates with integrity and efficiency. If confirmed, I will work tirelessly to root out fraud, waste, and abuse, and to promote transparency, accountability, and the success of America's small businesses.

If I may say in a departure from my prepared remarks, how important it's for the IG to ensure and to help small businesses that need to recover from disasters like Hurricanes Helene and Milton, and the California wildfires. I'm committed to maintaining a cordial and productive working relationship with this committee, with the Congress as a whole, and with the Administrator, while also demonstrating the independence, both in fact and in appearance, that is so essential to the role of the Inspector General.

Finally, I want to thank, again, President Trump for the invitation to assist him in ensuring that our government serves the American people.

Thank you. I look forward to your questions.

[The prepared statement of Mr. Kirk follows.]

Written Testimony:

William "Bill" Kirk, Nominee for Inspector General of the U.S. Small Business Administration

Chair Ernst, Ranking Member Markey, and Distinguished members of the Committee,

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I approach this opportunity to serve with a profound sense of gratitude:

- I thank God for the gift that is my Catholic faith that leads me to love, honor, and serve Him in this world with the hope of being with Him in the next.
- I want to thank, and honor my departed parents, Walter and Alice Kirk, who were tirelessly devoted to raising their seven children to be faithful, generous, productive, and patriotic members of society.
- I also thank my siblings and their families, my in-laws, Pat and Alice Rhea, and my friends and colleagues for their unwavering support and encouragement throughout my life.

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- the disciplinary office, holding students to meaningful accountability for violating university rules and regulations;
- the extensive housing and residence hall system, widely regarded to be among the most successful and distinctive such programs in the country;
- and the University Police Department, where I oversaw and partnered with scores of sworn law enforcement officers, investigators, detectives, and security personnel.

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CHAIR. Thank you, Mr. Kirk. And to your family, again, thank you for being here today.

As you know, I serve as the chair of the Senate Inspector General Caucus, and throughout my career, I have made it a top priority to root out waste, fraud, and abuse. That is why maintaining an ongoing dialogue with the OIG's office is one of my central concerns.

Will you commit to engaging with Congress and working with me to ensure that tax dollars are not wasted?

Mr. KIRK. Thank you, Senator, for the question. Yes, I will absolutely commit to working with the Congress, with this committee, to do all that I can to help root out fraud, waste, and abuse. It'll be my honor to do so.

CHAIR. That was a great answer. What are your top priorities in this particular role? What is your plan for aligning this with your statutory responsibilities required by Congress?

Mr. KIRK. Thank you, Senator. As you know, the role of an Inspector General as provided by the Inspector General Act, is to conduct and supervise audits and investigations. And I'm committed to ensuring that we can reduce waste, fraud, and bloat in the IG itself and in government contracts.

I look forward to optimizing the budget of the IG and the SBA through administrative efficiency. I think as the committee has shared with me their concern about our investigative abilities, I want to ensure that we modernize the intake, reduce the backlog in that area, and ensure that we have data analytics available to us to ensure that investigations are conducted so that we can root out fraud, waste, and abuse.

CHAIR. Oh, thank you. And you talked extensively about investigations, and as you know, the SBA IG's office has estimated there is over \$200 billion in suspected COVID fraud, and the IG has said that they had over 100,000 leads on fraud cases. I understand that SBA OIG investigators may not have as many cases on their dockets as other OIGs, but the SBA OIG consistently asks for additional funding.

Will you commit to reviewing the caseloads to maximize fraud recovery?

Mr. KIRK. Absolutely, Senator. Thank you for that question. I am committed, as I said, to ensuring we have efficient operation of the investigative arm. I look forward to understanding that area better as soon as I get into the role. The audit and investigation role is critically important for the Inspector General, and we need to be as efficient as possible in ensuring we provide the services.

CHAIR. Thank you. A key concern I have had over the past couple of years involves the SBA OIG's handling of disaster investigations, and you mentioned these in your opening remarks. I am disappointed in the lack of progress in supporting rural communities. Additionally, I believe the office has not shown sufficient commitment to finding and remedying the root causes of recent disaster relief shortfalls.

If appointed, will you commit to a full investigation of the SBA's handling of disaster relief, including the causes of the recent funding shortfall?

Mr. KIRK. Thank you, Senator. The funding shortfall was a tragic situation. The opportunity or one of the primary pillars of the role of the SBA is to provide capital for small businesses, counseling, contracting opportunities, and disaster relief. And that the SBA was unable to do so because of a funding shortfall is truly a serious situation.

I'm committed to ensuring to assist the department in ensuring that that does not happen again, to ensure that rural and underserved areas are fully provided the services of the SBA.

CHAIR. Thank you. I know it caught so many of us off guard, and certainly as the ranking member at that time, I would've thought I would've been notified about a funding shortfall. We were not aware of it. So, I appreciate you and your concern about that issue.

That will conclude my questions. For now, we will go to Ranking Member Markey, who is recognized for five minutes.

Senator MARKEY. Thank you, Madam Chair. Mr. Kirk, when you came to speak with the committee staff, you said that your job will be to oversee the Small Business Administration by adhering to the law, and as you put it, "To call balls and strikes." And I wholeheartedly agree with that description.

The IG is supposed to be neutral and independent, like an umpire, and not invent his or her own strike zone. With that in mind, I'd like to ask you about your views on a couple of pitches from the Trump Administration. As you know, President Trump fired Mike Ware, the previous Inspector General at SBA, along with a dozen other inspectors general across government late on a Friday night back in January of this year.

When the President failed to provide any notification or justification to Congress, did he comply with Section 3 of the Inspector General Act of 1978? And I will read that to you since you might not have that law in front of you. So, let me read you the text of the Inspector General Act of 1978.

"If an Inspector General is removed from office—" we're talking about Mr. Ware now, "or is transferred to another position, the President shall communicate in writing the substantive rationale, including detailed and case specific reasons for any such removal or transfer to both houses of Congress not later than 30 days before the removal or transfer."

Do you think that the President complied with the law?

Mr. KIRK. Thank you, Ranking Member Markey. That is a matter that I understand is currently involved in litigation, and as such, it would be inappropriate for me to respond further.

Senator MARKEY. All right. Well, let me move on. You previously worked for the former Environmental Protection Agency Inspector General, Sean O'Donnell, who was also purged by the President in January of this year. Do you think that President Trump had a legitimate reason to fire him, and do you think he was fired lawfully?

Mr. KIRK. Again, Senator, thank you for the question. As I mentioned, these are matters that are currently involved in pending litigation, and as such, it would be inappropriate for me to respond to them to offer any more information on them.

Senator MARKEY. Well, you worked for Mr. O'Donnell for three years, and surely you must know his work. The President was required to provide a substantive rationale for his dismissal. He did

not do that. So, you don't have a view on whether or not, just the technical aspects of it, the notification was in fact fulfilled.

Mr. KIRK. Again, thank you, Senator, for the question. As I mentioned, the matter is pending in litigation, and as such, it would be inappropriate for me to respond further to it.

Senator MARKEY. Well, again, that's very troubling to me because we clearly have multiple issues that have to be dealt with in a way that does reflect the law as it has been written and should in fact be carried out.

Let me move on to a question of whether or not you intend on looking at the role which DOGE has played in the SBA since January of this year to determine whether or not they have been complying with the law.

Mr. KIRK. Thank you, Senator. I'm sorry, I wasn't sure if there was a question.

Senator MARKEY. Yes, there is. There's a question. DOGE has been inside of the administration for the last six months. Are you going to be looking at the role which DOGE has played?

Mr. KIRK. Thank you, Senator, for the question. I'm committed to addressing concerns that you have and the concerns of this committee that might come up.

Senator MARKEY. You were detailed to the Department of Education this March and have been serving in a high-level political position since that time, chief of staff to the General Counsel. Back in March, President Trump proposed moving the \$1.6 trillion student loan portfolio to SBA. Putting aside how disastrous that would be for millions of student borrowers across the country, do you believe that move could have been legal without Congressional authorization?

Mr. KIRK. Thank you, Senator, for the question. I came, as you mentioned, to the Department of Education back in March, and the intention was to, I believe, capitalize on my administrative and management experience. Many of those decisions were made prior to my arrival there, and I've been responsible within the OGC's office for administering the office, helping redesign workflows, et cetera. So, that's about all I can share with you on that question.

Senator MARKEY. Do you believe it's lawful for the President to "wind down" the Department of Education as an agency that Congress has authorized and has appropriated funding for without getting authorization from Congress?

Mr. KIRK. Thank you, Senator. As I mentioned, I look forward to this role as the Inspector General, and in that role, I am committed to conducting and supervising audits and investigations. I don't believe that my opinions on those matters really are relevant to the work that I would be doing as the Inspector General.

Senator MARKEY. And just to confirm, are you saying now under oath that you did not author, review, comment on, or edit any memos, policy documents, proposals of legal guidance related to this administration's efforts to wind down the Department of Education?

Mr. KIRK. Thank you, Senator, for the question. No, I am not aware of any role that I had in any of those decisions. As I mentioned, I came in March of this year, and many of those decisions, I believe, were made prior to that time.

Senator MARKEY. Okay. Thank you, Madam Chair.

CHAIR. Thank you, Ranking Member. And we will turn now to Senator Husted for five minutes of questioning.

Senator HUSTED. Thank you, Chair. Mr. Kirk, thank you for joining us today. Welcome, to your family.

Mr. KIRK. Thank you.

Senator HUSTED. I want to touch on something that President Trump did in his first term. December of 2020, he issued Executive Order 13960 that authorized the use of artificial intelligence to look into SBA loan procedures. It was really a detection tool to look at systemic fraud that was potentially being used to steal money from the federal government through the pandemic Paycheck Protection Program and the Economic Injury Disaster Loan Program.

We've now discovered, I believe, \$200 billion in fraudulent payments came from that process. I want to put this in context, \$200 billion. That's enough to pay for the grocery bill of 20 million families for an entire year. It's enough money to buy a new car for everyone in Ohio and Michigan combined. It's enough to buy a new home for families in San Francisco and Boston. It's an incredible amount of money.

The SBA didn't use the tools at their disposal to track down fraud, and I would like your reaction to that, and to understand what your commitment is to using every technology tool we have available to us to track down fraud and abuse in the system to reassure the American public that government actually works for them.

Mr. KIRK. Thank you, Senator, for the question. You raised such an important issue; the use of technology in rooting out fraud, waste, and abuse. And I think the opportunity to do so is, as you described, a tremendous opportunity.

What we can do is leverage the technology to ensure that our investigations are conducted efficiently. We have these tools available to us, and in with constricted resources and the availability of this technology, we can make absolutely wonderful use of it to root out fraud, waste, and abuse.

Senator HUSTED. And I want to just make sure I heard you correctly. And we have your commitment that you're going to command that the agency does this?

Mr. KIRK. I am committed, Senator, yes, to ensure that the agency and the OIG use every technological means at their disposal to appropriately root out fraud, waste, and abuse. I'm committed to that.

Senator HUSTED. Great. I would hope that we could have you back some time to hear about your success stories of how we've, hopefully, prevented the fraud, and hopefully, for those who maybe have perpetrated the fraud, that we've caught them, that we've prosecuted them, and that they will—I'm sure they will all be watching this hearing today to know that they shouldn't do it because we're going to catch them and we're going to prosecute them. Is that correct?

Mr. KIRK. Yes. Thank you, Senator. I would look forward to that opportunity. I look forward to bringing very good news to you in that regard.

Senator HUSTED. Great. Thanks, Madam Chair. I yield back my time.

CHAIR. Thank you. Now, we'll recognize Senator Hirono of Hawaii.

Senator HIRONO. Thank you, Madam Chair. Welcome, Mr. Kirk.

Mr. KIRK. Thank you.

Senator HIRONO. To determine the fitness to serve of any of the nominees that come before any of my committees, I ask the following two initial questions. 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?

Mr. KIRK. I have not.

Senator HIRONO. Have you ever faced discipline or injured into a settlement relating to this kind of conduct?

Mr. KIRK. I have not.

Senator HIRONO. Mr. Kirk, you were just asked about a \$200 million in fraud as part of the PPP and some other federal programs during COVID. Now, you do know that this \$200 million is not a set figure. It was something that your predecessor noted in a report and suggested that the IG investigate. So, you responded as though that was a set figure. It's just the potential.

So, should you be confirmed, are you going to investigate and ascertain now how much in waste and fraud actually occurred during COVID?

Mr. KIRK. Thank you, Senator, for the question. Whatever amount of fraud has occurred, it's too much. If there is a \$200 billion—the amount of the fraud is absolutely of grave concern to me and is to the American people.

Senator HIRONO. So, you intend to investigate, should you be confirmed? You would investigate and with fairness, because that's what you said, right? You're going to be fair. You're going to—no political access to grind?

Mr. KIRK. Absolutely. Thank you, Senator. I am committed to unwavering adherence to principles of independence and objectivity in conducting the audits and investigations. I will maintain absolute neutrality and oversight operations.

Senator HIRONO. I'm sorry, what did you say? You would?

Mr. KIRK. I said I will maintain absolute neutrality.

Senator HIRONO. So, let us confirm then that you consider the IG Office to be independent of SBA leadership and/or the President. You'll be totally independent?

Mr. KIRK. Yes. As I mentioned, the Inspector General reports both to the Administrator and to the Congress under the Inspector General statute. But it is an independent entity. And it is my intention to maintain, as I mentioned, neutrality, and complete independence, and non-partisan.

Senator HIRONO. So, the reason I ask these questions is because it is very clear that President Trump's likes to nominate people who will be 100 percent loyal to him. Not necessary to the IG statute or anybody else, but loyalty to him. So, I want to be very clear that your loyalty is to the Constitution and to doing your job in an independent, non-political, fair way.

Mr. KIRK. Thank you, Senator, for the question. I'm absolutely committed to upholding the law, and providing a completely independent and objective role.

Senator HIRONO. Okay. I don't mean to rush you, but you know, I don't have that much time. So, when you talk about upholding the law, we have a President who believes that whatever he does is legal. Would that be your perspective? That whatever he does is legal?

Mr. KIRK. Thank you, Senator. As I mentioned, I will uphold the law. I will be completely objective in my application of the law to the facts that are presented to me—

Senator HIRONO. Okay. But who determines—

Mr. KIRK [continuing]. And I'm committed to unwavering adherence to principles of independence.

Senator HIRONO [continuing]. Whether what he does is legal? Because you have a President who believes everything he does is legal. Is that who you would follow as far as the legality of anything that is happening or not, or would you be independent of his attitude—

Mr. KIRK. Thank you, Senator—

Senator HIRONO. Whether what he's doing is legal or not?

Mr. KIRK. I will absolutely uphold the law. That is what—

Senator HIRONO. Okay. So, that is not very sufficient when you have a President who says he is the law. So, let me ask you this way. Do you believe that the rule of law should apply to the President?

Mr. KIRK. Thank you, Senator, for the question. The rule of law applies to all citizens, and I will uphold the law in my role as an inspector general.

Senator HIRONO. And so, you are saying that the rule of law should apply to the President?

Mr. KIRK. Senator, as I mentioned, the rule of law applies to all American citizens.

Senator HIRONO. You don't want to use the word President. Is there some reason that this—you can't say, including the President of the United States?

Mr. KIRK. Thank you, Senator. The rule of law applies to all of us.

Senator HIRONO. I think it's very unusual that you can't say that it applies to the President, which makes me wonder—you know, so what can I say? When you are being nominated by a President who believes that the rule of law does not apply to him, and who demands pretty much 100 percent loyalty.

Now, you were asked some questions about—I'm just curious to know whether or not you will come to your position, should you be confirmed, in a fair way. So, for example, do you think that the elimination of the Department of Education is legal without Congressional action?

Mr. KIRK. Thank you, Senator for the question. It is the role of the Inspector General, as I said, to conduct these audits and investigations. A hypothetical such as you've mentioned, is not something that I feel is—

Senator HIRONO. No, it's actually not a hypothetical question, because that's what he wants to do. And he fired practically half of

the staff of the Department of Education. Do you think that's legal? Because you were the—you worked for the Education Department prior. Do you think that's legal?

Mr. KIRK. As I said, Senator, I worked at the Department of Education in administrative and management roles, and I was responsible for assisting the general counsel in administering the office. I helped redesign workflows. I did the work—

Senator HIRONO. You had nothing to do then with the intention any discussion relating to the elimination of the Department of Education without—by executive order or the firing of half of the people in ED. See, you also refuse to answer certain questions because it's pending litigation.

CHAIR. If the Senator could wrap the question.

Senator HIRONO. There are over 200 lawsuits involved, challenging what the President wants to do, that doesn't mean that we're going to get a lot of answers from you. Thank you, Chair.

CHAIR. Okay. Next, we—if there are any other questions? Senator Markey, do you have additional questions? Okay. We'll go to a second round of questions, and we'll start with Ranking Member Markey.

Senator MARKEY. Thank you, Madam Chair. You previously worked at the EPA's Inspector General's Office. You told my staff that you didn't participate in audits or investigations there, and only checked reports for legal sufficiency. Do you have any experience conducting audits or investigations from your prior work?

Mr. KIRK. Thank you, Senator for the question. I have been involved in oversight work in various forms for literally decades. I began my career as an auditor and accounting staff member, as I mentioned, the international accounting and auditing firm of Price Waterhouse. So, yes, I do have some experience.

Senator MARKEY. Are you familiar with SBA's programs?

Mr. KIRK. I'm not currently at the SBA, but yes, I've tried to familiarize myself with the programs at the SBA.

Senator MARKEY. Are you familiar with the Paycheck Protection Program, or PPP?

Mr. KIRK. I am familiar with the Paycheck Protection Program.

Senator MARKEY. Are you familiar with the PPP's affiliation requirements for not-for-profits?

Mr. KIRK. I am not completely familiar with that. I'm familiar, as I said, generally with the program and the way that it was implemented to try to assist small businesses suffering from the pandemic.

Senator MARKEY. Are you familiar with your predecessor's determination that Planned Parenthood met the PPP's affiliation requirements, and that it was entitled to forgiveness?

Mr. KIRK. I am aware of that, yes.

Senator MARKEY. Do you agree with that decision?

Mr. KIRK. Senator, thank you for the question. I don't know enough about that matter. I have not read the report involved in that regard. I really don't have an opinion on that one way or the other.

Senator MARKEY. Well, since you've committed to calling balls and strikes as you assess SBA's compliance with the law, I hope you will commit to upholding this clear reading of the PPP forgive-

ness rules and not engage in politically motivated attacks at Planned Parenthood. Given your boycotting of President Obama's Commencement Speech at Notre Dame, you can imagine how concerned people might be with regard to some pre-existing bias you might bring towards Planned Parenthood. Could you speak to that issue?

Mr. KIRK. Thank you, Senator for the question. As I mentioned, I am absolutely committed to serving as an independent, objective, and neutral, nonpartisan inspector general. That is my role. That's what I look forward to doing. My personal beliefs really are not relevant to whether or not any particular organization would fit that criteria.

Senator MARKEY. And again, I'm just asking if what weight you would give to your predecessor's determination that Planned Parenthood was entitled to those benefits?

Mr. KIRK. Senator, I'm sorry. I don't understand the question.

Senator MARKEY. The point that I made earlier was that your predecessor in this position in fact determined that Planned Parenthood met the PPP's affiliation requirements, and that it was entitled to forgiveness. What weight are you going to give to your own predecessor's determination on that matter?

Mr. KIRK. Thank you, Senator. As I am charged with, if I am privileged to take on the role, to conduct and supervise audits and investigations. I would consider all the information available to me, including the information that was previously provided, and current audit and investigation work.

Senator MARKEY. Right. Well, you can imagine that we're concerned about bias that you might bring to that decision, especially since it would upset the precedent that had already been established by your predecessor in the agency. So, let me let me yield back, Madam Chair.

CHAIR. Thank you, Ranking Member Markey. And next, we'll go to Senator Schiff of California. Five minutes.

Senator SCHIFF. Thank you, Madam Chair. And let me just say apropos, Mr. Kirk, of your last name, how horrified I was to see reports that Charlie Kirk had been shot at an event today.

Mr. KIRK. Oh, my goodness.

Senator SCHIFF. It's just awful. The increasing degree of political violence in this country is a threat to everyone.

I want to ask you, Mr. Kirk, about the firing of the other Inspector Generals. If you would, to have this position, it's obviously vitally important that you'd be independent, that you apply the law as it's written, that you'd be willing to confront anyone in the executive or any other branch of government if they're acting in a way that is wasteful, abusive, or illegal. That requires you to be able to speak truth to power.

And so, let me begin by your understanding of the law as it applies to Inspector Generals. What is your understanding of the law? What does the law require before President could fire you if you became Inspector General?

Mr. KIRK. Thank you, Senator, for the question. I appreciate your acknowledgement of the role of the Inspector General is being objective and independent, and I'm absolutely committed to objectivity neutrality independence in the role of the Inspector General.

As I mentioned previously, the matter of the termination of the roles of the other inspector generals is a matter of currently pending in litigation. I think it's inappropriate for me to speak to that matter.

Senator SCHIFF. Well, I don't agree. I think it's very appropriate and necessary to speak to this. We need, among other things, some assurance that an Inspector General will apply the law as written, not apply the law as the executive would like it to have been written or would like it to be.

As that law is on the books, as the Supreme Court has not somehow found that law unconstitutional, it is the law of the land. I think it is also a deeply important law how Mr. Kirk if even a law that requires cause or notice is not to be enforced, how can you have any confidence that should you find the administration engaged in some kind of misconduct, that you won't simply be fired as a result of making any findings?

Mr. KIRK. Thank you, Senator for the question. As I mentioned, I'm absolutely committed to unwavering adherence to the principles of independence and objectivity. And I will conduct audits and investigations, and report findings consistent with that obligation to be completely independent.

Senator SCHIFF. We had a hearing last week with members of the board of the Nuclear Regulatory Commission. And I asked them, the three members of the board, including the chair, "Are you confident that if you were to decide a nuclear reactor was unsafe or design for new reactor was unsafe, and you said so, are you confident that you would not be fired? Can you be confident you could make that decision and still hold your position?"

And the first two commissioners said, well, candidly, no, I couldn't be confident that I would not be fired. And the chairman basically said, "I'm going to make the right decision on the merits, whatever happens. But it would be speculative what would happen should I make that decision."

And the problem with it being speculative is it shouldn't be speculative. You should know that if you do your job, regardless of how you're finding cuts, that you're not going to be fired as a result, that there's some safeguard in law, or in practice, or both, ideally, that will insulate you. Otherwise, you're always going to be looking over your shoulder.

I understand your reluctance to answer the question here. There's no reason you can't, but I understand your reluctance. But if you're unwilling to answer a question like that before confirmation, I don't know how you're going to answer that question after confirmation.

And this is the challenge we have. It's not a reflection on your background, but is reflection on this moment, and the need now more than ever, I believe, to have inspector generals that are willing to say it like it is even if it displeases people in the Congress, or the administration, or anywhere else.

Madam Chair, I yield back.

CHAIR. Okay. Seeing no other—oh, excuse me. Senator Hickenlooper, you are recognized for five minutes.

Senator HICKENLOOPER. Thank you, Madam Chair. Thank you, Mr. Kirk, for your time. You know, in the last few years, the SBA

has faced real complex issues in terms of fraud and abuse. I think Americans are counting on us to make sure that tax revenues, tax money is spent appropriately. That frauds are held accountable. Much of your time in Higher Ed, or your roles in Higher Ed, don't appear to be primarily legal, and you transitioned to government in 2020.

Can you describe your experience in terms of conducting large complex audits or investigations, and how that experience could prepare you to lead the SBA Inspector General's office?

Mr. KIRK. Thank you very much, Senator, for the question. The role of the Inspector General and that person in particular is to supervise and conduct audits and investigations to provide the leadership and coordination necessary to recommend the policies. This is all from the Inspector General Act, and so a particular individual's experience in the sub, in the detailed and substantive roles is not necessary.

And what I bring to this role is more than three decades of administrative management and leadership experience in areas related to that. I served in a role oversight of student disciplinary processes at Notre Dame, the police department, and the housing offices. These were matters that these were situations that required executive management and leadership to ensure that the that the work was performed appropriately.

And I feel very confident that I'm able to do that, to supervise and manage the oversight work of the Inspector General's Office.

Senator HICKENLOOPER. So, in terms of the SBA Inspector General, what kinds of fraud and abuse are you most concerned with?

Mr. KIRK. At the SBA, I am very concerned with the kind of fraud that occurred in connection with the 8(a) Program, the recent USAID hundreds of millions of dollars lost to fraud because of bribery by officials. I am concerned to ensure that the disaster aid is appropriately distributed to underserved and rural communities. That's an area that I'm very concerned about. The efficiency there, and make sure that that aid gets out.

I'm very concerned that given all of the focus on the PPP program over the last couple of years, that the flagship programs, the 7(a), 8(a) Programs have the oversight that's required to ensure that they stay ready and available to assist small businesses.

Senator HICKENLOOPER. Right. How do you look at some of the issues within the SBA where there's been some contestation on some of the awards that have been frozen and held back without—actually, in other words, people had qualified for some of the programs and were told they were going to get funding, but that funding has never materialized. Have you got a way of approaching those situations?

Mr. KIRK. Thank you, Senator. I certainly, since I'm not in the role currently, would need more information to understand what the actual issues are that you're referring to. But if an entity is qualified to receive, it would be important for the Inspector General to try to determine, to ensure that the award was made.

Senator MARKEY. Okay. Great. I yield back to the Chair. Thank you.

CHAIR. Thank you, Senator Hickenlooper. And one more follow-up question for Ranking Member Markey.

Senator MARKEY. Recently, *Wired* magazine reported that unvetted DOGE operatives gained wide-ranging access to SBA's information systems containing the private personal information of small business owners and Americans across the country.

Now, as you know, these small business people, they're putting up their life savings. They're giving access to the federal government to this relatively small amount of money, which they have to take this big risk on their small business. And they're handing it over to the Small Business Administration with the promise that the information will remain confidential, that no one will ever have access to it.

It's about the most private information that an individual has. It's their net wealth. It's everything they've worked for. And in many instances, it's the spouse along with the husband who's putting up their money for that small business.

So, if what *Wired* magazine has reported is accurate, and that evidence is there, should the SBA's Inspector General investigate DOGE's activities if there is reasonable evidence that the privacy of those financial documents of millions of small businesses has been compromised? Would that be the responsibility of the Inspector General of the Small Business Administration?

Mr. KIRK. Thank you, Senator Markey, for the question. The privacy and security of information that our small businesses share with the SBA for the purposes of eligibility for the programs is critically important information. And it is imperative that all folks, all the department officials that may have access to it are trained and properly handle that information.

Any allegations or violations of those standards would be matters that the Inspector General's Office would appropriately look at. And with the appropriate facts that come to my attention, I will work with my staff to ensure that facts are applied against the criteria involved and make determinations.

Senator MARKEY. I think that's going to be a very important thing for you to do because I think *Wired* has a pretty documented case that has been made that that information has been compromised. Thank you, Madam Chair.

CHAIR. Thank you, Ranking Member Markey. And thank you, Mr. Kirk, for being with us today, and for your willingness to serve.

We are going to leave the record open for two days until 5:00 p.m. on Friday, September 12th, for 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.

U.S. Small Business Administration
IG Nominee
Bill Kirk QFR Responses
September 15, 2025

Question 1: My understanding is that the Small Business Administration (SBA) Office of Inspector General (OIG) may have recently undergone reorganizational changes. It is imperative that Congress be informed, especially this Committee. Should you be confirmed, will you commit to report and brief Congress on all reorganizations that occur during your time at the SBA OIG?

Response: *Yes. If confirmed, I will notify Congress, including this Committee, on any organizational changes within SBA's OIG. Consistent with the Inspector General Act of 1978, OIG operations must remain transparent and accountable to both the Administrator and Congress.*

Question 2: Recently it appeared that SBA OIG personnel may not all meet the standard when it comes to training and standard operating procedures. Additionally, the SBA OIG may have used funds to travel together for training and offsites at significant costs to the taxpayer, all while requesting additional funds from Congress. If confirmed, will you commit to making sure that all staff in your office are aware of the standard operating procedures of the SBA OIG? Further, will you review the planning, training, and continuing education policies of the office to ensure this is done in the most cost-effective manner?

Response: *Yes. If confirmed, I will ensure that all SBA OIG personnel are fully trained and consistently adhere to established standard operating procedures. In response to the concerns about excessive travel costs, I will also review the office's planning, training, and continuing education policies to confirm that they are cost-effective and minimize taxpayer expense. I am committed to making sure such activities are carefully planned, fiscally responsible, and aligned with the OIG's statutory oversight mission.*

Question 3: The Committee recently passed S. 1199, the SBA Fraud Enforcement Extension Act, which extends the statute of limitations for fraud perpetrated against COVID relief programs from five to 10 years. How will this legislation assist the SBA OIG's efforts to combat waste, fraud, and abuse within the COVID relief programs?

Response: *The extension of the statute of limitations to ten years significantly strengthens SBA OIG's ability to pursue complex fraud cases arising from pandemic relief programs. Large-dollar schemes often involve layered transactions, false identities, and cross-jurisdictional actors that require time to investigate and prosecute. With this additional authority, SBA OIG and its law enforcement partners will be better positioned to complete thorough investigations, bring cases forward even after lengthy forensic reviews, and maximize recoveries for the taxpayer.*

This change aligns with the Inspector General Act's mandate to prevent and detect fraud and will directly enhance accountability in the PPP, EIDL, RRF, and SVOG programs.

Question 4: The Shuttered Venue Operators Grant (SVOG) program cost the taxpayer over \$15 billion dollars, and I suspect much of those funds were obtained by fraudulent actors. Will you commit to seriously reviewing and investigating the SVOG program and recouping any improper payments of taxpayer funds?

Response: *Yes. If confirmed, I will ensure that the SBA OIG conducts a thorough review of the Shuttered Venue Operators Grant (SVOG) program to identify potential fraud, waste, or abuse. Where improper payments are found, I will direct the office to pursue all appropriate investigative, audit, and recovery actions in coordination with the Department of Justice and other partners. Protecting taxpayer dollars is a core responsibility of the Inspector General, and SVOG oversight will remain a priority as we continue to assess the effectiveness and integrity of SBA's pandemic relief programs.*

Question 5: The SBA OIG has several statutorily required audits. If confirmed, will you evaluate each ongoing audit and ensure that those required by a statutory deadline are provided to Congress on time?

Response: *Yes. If confirmed, I will evaluate all ongoing and planned audits to ensure that those required by statute are completed and transmitted to Congress within the mandated timeframes. I will also review internal audit planning processes to confirm that sufficient resources are allocated to meet these requirements, while maintaining the independence and quality expected of the Inspector General's office. Additionally, I will collaborate with SBA personnel to strengthen fraud prevention so that fraud is stopped before it occurs. This will lead to improved SBA audits and save taxpayer dollars.*

Question 6: Earlier this year, I sent a letter to the SBA expressing serious reservations about the SBA's deployment of its Unified Certification Platform, the UCP. While I concur that the idea of the UCP is beneficial to small businesses, the GAO and I both agree that the Biden Administration wrongfully assumed an unacceptable level of risk when it deployed the system prematurely. The GAO's assessment of the SBA's rollout of the UCP revealed significant mishandling by Biden's SBA in its rush to operationalize the UCP as quickly as possible. It is now up to Administrator Loeffler to clean up the mess that the Biden Administration created, taking these lessons learned and delivering what Biden's SBA could not, and in a transparent and responsible manner. To do this, a strong IT environment is essential. Over the past three years, SBA's FITRA implementation score has been a C, which is not acceptable. If confirmed, will you commit to reviewing the UCP specifically, and more broadly the SBA's IT investment strategies?

Response: *Yes. If confirmed, I will conduct a thorough oversight review of the SBA's Unified Certification Platform. This audit would include assessments to evaluate compliance with federal IT management standards, in response to your concerns about its premature deployment. I will also examine SBA's broader IT investment strategy, including FITARA compliance, to ensure that resources are managed properly and taxpayer data is protected. All findings and recommendations from this work will be reported to Congress to promote transparency, accountability, and stronger IT governance at SBA.*

CHAIR. Without objection, so ordered.

Mr. Kirk, we would appreciate your prompt response to any questions submitted for the record. We do require your responses prior to advancing your nomination out of committee. And with that, the Committee on Small Business and Entrepreneurship stands adjourned. Thank you very much.

[Whereupon, at 3:25 p.m., the hearing was adjourned.]

