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COMMITTEE ON VETERANS' AFFAIRS

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July 9, 2024

The Honorable Denis R. McDonough
 Secretary
 U.S. Department of Veterans Affairs
 810 Vermont Avenue, NW
 Washington, DC 20420

Dear Secretary McDonough:

The House Committee on Veterans' Affairs (Committee) is investigating the voter registration activities the Department of Veterans Affairs (VA) has undertaken to implement President Joseph R. Biden's Executive Order (EO) 14019, "*Promoting Access to Voting.*"¹ It is clear to me that through EO 14019 President Biden has inserted VA, and other federal agencies, into our federal elections in an unprecedented manner. Despite multiple inquiries, the Biden administration has thus far refused to cooperate with Congressional oversight and share agencies' strategic plans with Congress.² The lack of communication and transparency with Congress regarding such an impactful policy raises serious concerns about how EO 14019 is being implemented.

Lack of transparency at VA specifically is evidenced by VA's failure to satisfy any of the Committee's requests regarding VA's implementation of EO 14019. On **June 14, 2024**, Committee staff sent requests for information regarding VA's efforts to implement EO 14019. On **June 26, 2024**, Committee staff sent your staff additional requests for information regarding VA's efforts to implement EO 14019 and requested VA brief Committee staff on the topic. To date, VA has yet to answer a single question. VA has also failed to even schedule the briefing.

Another example of VA's lack of transparency involves a survey VA published in 2022 to collect data from veterans and their families to determine how VA would implement EO 14019.³ At the bottom of the survey was a disclaimer explaining its purpose and despite the way the disclaimer was written,⁴ the survey responses were never shared with the Committee even though the results likely heavily influenced VA's decision to establish partnerships with three specific states: Michigan, Pennsylvania, and Kentucky, to implement voter registration programs

¹ Exec. Order No. 14019: "Promoting Access to Voting", 86 FR 13623 (March 10, 2024)

² Press Release, Chairman Bryan Steil, Committee on House Administration, Chairman Steil Subpoenas 15 Cabinet Members for Documents Related to 'Bidenbucks' (June 13, 2024).

³ Press Release, Department of Veterans Affairs, VA promotes greater access to voter information to Veterans and families (March 24, 2022).

⁴ The disclaimer for the survey presented to veterans included the following: "*This survey is used to inform Congressional legislation and budgets to help the VA better serve Veterans with educational assistance*". The survey closed on March 31, 2023 and the Committee has not received any information on its results or conclusions.

and launch the voter registration pilot sites throughout Michigan. Specifically at the Saginaw and Detroit VA Medical Centers, and the Detroit Regional Office.⁵

An agency, like VA, performing an entirely new function outside of its statutory authority warrants thorough Congressional oversight. Here, VA's implementation of EO 14019 has been entirely unexplained, which forces the Committee to judge VA by its actions. Michigan, Pennsylvania, and Kentucky were 4th, 22nd, and 23rd, respectively, amongst states in terms of registered voters as a share of the 2022 election's voter population.⁶ This begs the question, why were these states chosen over states with a much lower share of registered voters? As you know, election analysts consistently label Michigan and Pennsylvania as two of the top battleground states. As such, the 2024 Presidential election could be determined by the outcomes in these two states. This makes VA's implementation of EO 14019, absent any satisfactory explanation, highly suspicious.

According to National Public Radio, the Biden Campaign and affiliated groups have spent more money promoting President Biden's candidacy in Pennsylvania and Michigan than in any other state. As of May 24, 2024, the Biden Campaign and affiliated groups spent \$10.8 million on advertisements in Pennsylvania and \$8.6 million on advertisements in Michigan. The next closest state is Arizona with \$4.33 million spent.⁷ Notably, VA is not the only agency that has prioritized its voter registration efforts in states where the Biden Campaign has focused its re-election efforts. The Small Business Administration recently announced it had entered a voter registration partnership with Michigan's Secretary of State, its first and only such agreement.⁸ I trust you would understand why these efforts by the Biden administration would call into question the resources VA is expending on this endeavor when the agency's sole mission should be to provide veterans with the good healthcare, benefits, and services they have earned in a timely manner, not voter registration.

In the spirit of upholding the core American principal of transparency in elections and in accordance with the Committee's oversight authorities, I ask VA provide answers to the below questions and document requests as well as the questions and document requests my staff previously requested, on June 14 and 26, 2024, as soon as possible and not later than **Friday, July 19, 2024**. This letter should not be interpreted as superseding the previous requests for information my staff has sent to you regarding EO 14019. If you believe your response to one of the below questions satisfy a request my staff previously sent, I ask that you make that clear in your response. Please note, the Committee will resort to compulsory processes, if necessary, to obtain the requested information.

1. Please provide the strategic plan VA developed per EO 14019 outlining how VA intends to promote voter registration and voter participation.

⁵ Press Release, Department of Veterans Affairs, Three Michigan VA locations will be pilot voter registration sites (September 19, 2023).

⁶ Numbers of Voters and Voter Registration as a Share of the Voter Population, KFF (last visited July 2, 2024) <https://www.kff.org/other/state-indicator/number-of-voters-and-voter-registration-in-thousands-as-a-share-of-the-voterpopulation/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Registered%20Voters%20as%20a%20Share%20of%20the%20Voter%20Population%22,%22sort%22:%22desc%22%7D>.

⁷ Domenico Montanaro, Ad spending shows where the presidential campaign is really taking place, National Public Radio, <https://www.npr.org/2024/05/24/nx-s1-4980821/ad-spending-presidential-election-biden-trump>.

⁸ Press Release, Small Business Administration, SBA Administrator Guzman Announces Agency's First-Ever Voter Registration Agreement with Michigan Department of State (March 19, 2024).

2. Please provide all implementation plans developed by VA, or with VA coordination, for VA supported voter registration activities in a state where VA is a voter registration agency.
3. Please provide the survey published by VA to gather data to support the implementation of EO 14019 as well as the results of the survey, any reports or conclusions VA drew from the survey results, and the budgetary authority VA used to pay for the survey's development and implementation.
4. Please provide an explanation for how VA has used the survey data referenced in question three to "inform Congressional legislation and budgets" as VA wrote in the survey disclaimer.
5. Please provide a complete list of the states, besides Pennsylvania, Michigan, and Kentucky, that VA has entered into agreements with to be designated as a voter registration agency. Please also list the states, if any, VA plans to seek such a designation with.⁹
6. Please provide the justification for why these states were chosen and an explanation for why VA is not conducting voter registration activities in all fifty states.
7. Please provide the Memorandums of Understanding (MOU) between the Michigan, Pennsylvania, and Kentucky Departments of State and VA.¹⁰
8. Please provide copies of any documents analyzing each of the MOU's compliance with Congressionally enacted and state laws as the Elections Clause requires.
9. Please provide a list of all approved third-party organizations as designated in Section 3(a)(iii)(C) of EO 14019 that VA has entered partnerships with and full unredacted copies of those agreements.
10. Please provide any interim reports and the final report submitted to the White House regarding VA's EO 14019 implementation.

When producing documents, please do not alter them in any way, including, but not limited to, application of redactions or a watermark. Additionally, digital copies should be provided in a format that enables their printing and copying by the Committee. Finally, please have your staff schedule the briefing my staff previously requested no later than **July 19, 2024**. Please do not hesitate to have your staff contact mine with any questions.

Sincerely,



MIKE BOST
Chairman

Cc: The Honorable Mark Takano, Ranking Member

⁹ Press Release, Department of Veterans Affairs, VA promotes greater access to voter information to Veterans and families (March 24, 2022).

¹⁰ Press Release, Department of Veterans Affairs, VA announces state partnerships to provide voter registration assistance to Veterans (September 20, 2022).