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One Hundred Eighteenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
1309 LONGWORTH HOUSE OFFICE BUILDING
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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Wes Allen
Secretary of State
PO Box 5616
Montgomery, AL 36103-5616

Dear Mr. Allen:

I serve as Chairman of the U.S. House Committee on House Administration (“the Committee”), which has broad oversight of our nation’s federal elections.¹ In December 2023, several members of the Committee, including Rep. Derek Kilmer of Washington, and I requested that the U.S. Government Accountability Office (“GAO”) conduct a study cooperatively with all States—all those that choose to participate—concerning the practicality of compliance with the existing federal law² requirements for filling expeditiously any vacancies in a state’s representation in the United States House of Representatives following a mass casualty event.³

Given the importance of this matter, I want to encourage you to join with GAO in its study.

Congress recognizes that the Constitution assigns the States the primary authority to determine election law and to administer federal elections.⁴ Congress’s role is limited with respect to elections but includes the responsibility to act as a fail-safe in serious situations where the continuity of the House of Representatives is threatened.⁵ This constitutional command and the breadth of variation of governance structure between the States means that the current federal law framework, while well-intended, may not effectively account for the diversity in needs, geography, government structure, political culture, and other areas.⁶

This bipartisan idea, led by committee member Rep. Derek Kilmer (D-WA06), originated out of a hearing in the 117th Congress before the Select Committee on the Modernization of Congress, which Mr. Kilmer chaired, where several Secretaries of State responsible for the administration of special elections in their states raised concerns

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about the practicality of compliance with the timelines currently in federal statute.⁷ In the current Congress, in addition to its request, the Committee unanimously approved a bipartisan amendment led by Mr. Kilmer during a markup of H.R. 4563, the American Confidence in Elections Act, that would require the GAO to perform this study.⁸ Our Committee is devoting renewed attention to this matter in light of the worrisome increase in the number of serious, credible threats against Members of Congress.

Thank you for your consideration of this important request.

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January 12, 2024

The Honorable Nancy Dahlstrom
Lieutenant Governor
550 W. 7th, Ste. 1700
Anchorage, AK 99501

Dear Ms. Dahlstrom:

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January 12, 2024

The Honorable John Thurston
Secretary of State
256 State Capitol
Little Rock, AR 72201

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January 12, 2024

The Honorable Cord Byrd
Secretary of State
R.A. Gray Bldg.
500 S. Bronough, Ste. 100
Tallahassee, FL 32399

Dear Mr. Byrd:

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The Honorable Brad Raffensperger
Secretary of State
214 State Capitol
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PO Box 83720
Boise, ID 83720-0080

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This bipartisan idea, led by committee member Rep. Derek Kilmer (D-WA06), originated out of a hearing in the 117th Congress before the Select Committee on the Modernization of Congress, which Mr. Kilmer chaired, where several Secretaries of State responsible for the administration of special elections in their states raised concerns

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The Honorable Phil McGrane

January 12, 2024

Page 2 of 2

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Thank you for your consideration of this important request.

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Sincerely,



Bryan Steil
Chairman
Committee on House Administration

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cc: The Hon. Derek Kilmer, U.S. Representative from Washington's Sixth District

BGS/ad

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BRYAN STEIL, WISCONSIN
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STAFF DIRECTOR

One Hundred Eighteenth
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JOSEPH D. MORELLE, NEW YORK
RANKING MINORITY MEMBER

TERRI A. SEWELL, ALABAMA
DEREK KILMER, WASHINGTON
NORMA J. TORRES, CALIFORNIA

JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Diego Morales
Secretary of State
200 W. Washington Street, Room 201
Indianapolis, IN 46204

Dear Mr. Morales:

I serve as Chairman of the U.S. House Committee on House Administration (“the Committee”), which has broad oversight of our nation’s federal elections.¹ In December 2023, several members of the Committee, including Rep. Derek Kilmer of Washington, and I requested that the U.S. Government Accountability Office (“GAO”) conduct a study cooperatively with all States—all those that choose to participate—concerning the practicality of compliance with the existing federal law² requirements for filling expeditiously any vacancies in a state’s representation in the United States House of Representatives following a mass casualty event.³

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The Honorable Diego Morales

January 12, 2024

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BRYAN STEIL, WISCONSIN
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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Paul Pate
Secretary of State
Lucas Bldg., 1st Fl.,
321 E. 12th St.
Des Moines, IA 50319

Dear Mr. Pate:

I serve as Chairman of the U.S. House Committee on House Administration (“the Committee”), which has broad oversight of our nation’s federal elections.¹ In December 2023, several members of the Committee, including Rep. Derek Kilmer of Washington, and I requested that the U.S. Government Accountability Office (“GAO”) conduct a study cooperatively with all States—all those that choose to participate—concerning the practicality of compliance with the existing federal law² requirements for filling expeditiously any vacancies in a state’s representation in the United States House of Representatives following a mass casualty event.³

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January 12, 2024

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Sincerely,



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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Scott Schwab
Secretary of State
120 SW 10th Ave.
Topeka, KS 66612

Dear Mr. Schwab:

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January 12, 2024

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Chairman
Committee on House Administration

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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Michael Adams
Secretary of State
700 Capitol Ave., Suite 152
Frankfort, KY 40601

Dear Mr. Adams:

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The Honorable Michael Adams

January 12, 2024

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Chairman
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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Nancy Landry
Secretary of State
PO Box 94125
Baton Rouge, LA 70804

Dear Ms. Landry:

I serve as Chairman of the U.S. House Committee on House Administration (“the Committee”), which has broad oversight of our nation’s federal elections.¹ In December 2023, several members of the Committee, including Rep. Derek Kilmer of Washington, and I requested that the U.S. Government Accountability Office (“GAO”) conduct a study cooperatively with all States—all those that choose to participate—concerning the practicality of compliance with the existing federal law² requirements for filling expeditiously any vacancies in a state’s representation in the United States House of Representatives following a mass casualty event.³

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The Honorable Nancy Landry

January 12, 2024

Page 2 of 2

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Thank you for your consideration of this important request.

Please send any questions or comments to Caleb Hays, General Counsel and Deputy Staff Director, at Caleb.Hays@mail.house.gov.

Sincerely,



Bryan Steil
Chairman
Committee on House Administration

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cc: The Hon. Derek Kilmer, U.S. Representative from Washington's Sixth District

BGS/ad

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STAFF DIRECTOR

One Hundred Eighteenth
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RANKING MINORITY MEMBER

TERRI A. SEWELL, ALABAMA
DEREK KILMER, WASHINGTON
NORMA J. TORRES, CALIFORNIA

JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Michael Watson
Secretary of State
125 S. Congress St.
Jackson, MS 39201

Dear Mr. Watson:

I serve as Chairman of the U.S. House Committee on House Administration (“the Committee”), which has broad oversight of our nation’s federal elections.¹ In December 2023, several members of the Committee, including Rep. Derek Kilmer of Washington, and I requested that the U.S. Government Accountability Office (“GAO”) conduct a study cooperatively with all States—all those that choose to participate—concerning the practicality of compliance with the existing federal law² requirements for filling expeditiously any vacancies in a state’s representation in the United States House of Representatives following a mass casualty event.³

Given the importance of this matter, I want to encourage you to join with GAO in its study.

Congress recognizes that the Constitution assigns the States the primary authority to determine election law and to administer federal elections.⁴ Congress’s role is limited with respect to elections but includes the responsibility to act as a fail-safe in serious situations where the continuity of the House of Representatives is threatened.⁵ This constitutional command and the breadth of variation of governance structure between the States means that the current federal law framework, while well-intended, may not effectively account for the diversity in needs, geography, government structure, political culture, and other areas.⁶

This bipartisan idea, led by committee member Rep. Derek Kilmer (D-WA06), originated out of a hearing in the 117th Congress before the Select Committee on the Modernization of Congress, which Mr. Kilmer chaired, where several Secretaries of State responsible for the administration of special elections in their states raised concerns

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The Honorable Michael Watson

January 12, 2024

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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable John Ashcroft
Secretary of State
600 West Main,
PO Box 1767
Jefferson City, MO 65101

Dear Mr. Ashcroft:

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January 12, 2024

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Sincerely,



Bryan Steil
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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Christi Jacobsen
Secretary of State
PO Box 202801
Helena, MT 59620-2801

Dear Ms. Jacobsen:

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January 12, 2024

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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Robert Evnen
Secretary of State
PO Box 94608-4608
Lincoln, NE 68509-4863

Dear Mr. Evnen:

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January 12, 2024

The Honorable David Scanlan
Secretary of State
State House, Rm 204
Concord, NH 03301

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Sincerely,



Bryan Steil
Chairman
Committee on House Administration

Enclosures: Correspondence dated December 8, 2023, from bipartisan members of the U.S. House Committee on House Administration to the Government Accountability Office, requesting that the Office work collaboratively with the several States to study issues relating to the continuity of government during a mass casualty event.

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One Hundred Eighteenth
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NORMA J. TORRES, CALIFORNIA

JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Michael Howe
Secretary of State
600 E. Boulevard Ave. Dept. 108
Bismarck, ND 58505-0500

Dear Mr. Howe:

I serve as Chairman of the U.S. House Committee on House Administration (“the Committee”), which has broad oversight of our nation’s federal elections.¹ In December 2023, several members of the Committee, including Rep. Derek Kilmer of Washington, and I requested that the U.S. Government Accountability Office (“GAO”) conduct a study cooperatively with all States—all those that choose to participate—concerning the practicality of compliance with the existing federal law² requirements for filling expeditiously any vacancies in a state’s representation in the United States House of Representatives following a mass casualty event.³

Given the importance of this matter, I want to encourage you to join with GAO in its study.

Congress recognizes that the Constitution assigns the States the primary authority to determine election law and to administer federal elections.⁴ Congress’s role is limited with respect to elections but includes the responsibility to act as a fail-safe in serious situations where the continuity of the House of Representatives is threatened.⁵ This constitutional command and the breadth of variation of governance structure between the States means that the current federal law framework, while well-intended, may not effectively account for the diversity in needs, geography, government structure, political culture, and other areas.⁶

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The Honorable Michael Howe

January 12, 2024

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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Frank LaRose
Secretary of State
180 Civic Center Dr.,
Columbus, OH 43215

Dear Mr. LaRose:

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The Honorable Frank LaRose

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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Josh Cockroft
Secretary of State
2300 N Lincoln Blvd., Ste. 101
Oklahoma City, OK 73105

Dear Mr. Cockroft:

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January 12, 2024

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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Al Schmidt
Secretary of State
302 North Office Building
Harrisburg, PA 17120-3025

Dear Mr. Schmidt:

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January 12, 2024

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1205 Pendleton Street, Suite 525
Columbia, SC 29201

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DEREK KILMER, WASHINGTON
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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Monae Johnson
Secretary of State
500 East Capitol Ave. #204
Pierre, SD 57501

Dear Ms. Johnson:

I serve as Chairman of the U.S. House Committee on House Administration (“the Committee”), which has broad oversight of our nation’s federal elections.¹ In December 2023, several members of the Committee, including Rep. Derek Kilmer of Washington, and I requested that the U.S. Government Accountability Office (“GAO”) conduct a study cooperatively with all States—all those that choose to participate—concerning the practicality of compliance with the existing federal law² requirements for filling expeditiously any vacancies in a state’s representation in the United States House of Representatives following a mass casualty event.³

Given the importance of this matter, I want to encourage you to join with GAO in its study.

Congress recognizes that the Constitution assigns the States the primary authority to determine election law and to administer federal elections.⁴ Congress’s role is limited with respect to elections but includes the responsibility to act as a fail-safe in serious situations where the continuity of the House of Representatives is threatened.⁵ This constitutional command and the breadth of variation of governance structure between the States means that the current federal law framework, while well-intended, may not effectively account for the diversity in needs, geography, government structure, political culture, and other areas.⁶

This bipartisan idea, led by committee member Rep. Derek Kilmer (D-WA06), originated out of a hearing in the 117th Congress before the Select Committee on the Modernization of Congress, which Mr. Kilmer chaired, where several Secretaries of State responsible for the administration of special elections in their states raised concerns

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The Honorable Monae Johnson

January 12, 2024

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about the practicality of compliance with the timelines currently in federal statute.⁷ In the current Congress, in addition to its request, the Committee unanimously approved a bipartisan amendment led by Mr. Kilmer during a markup of H.R. 4563, the American Confidence in Elections Act, that would require the GAO to perform this study.⁸ Our Committee is devoting renewed attention to this matter in light of the worrisome increase in the number of serious, credible threats against Members of Congress.

Thank you for your consideration of this important request.

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Sincerely,



Bryan Steil
Chairman
Committee on House Administration

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BGS/ad

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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Tre Hargett
Secretary of State
State Capitol, First Floor
Nashville, TN 37243-0305

Dear Mr. Hargett:

I serve as Chairman of the U.S. House Committee on House Administration (“the Committee”), which has broad oversight of our nation’s federal elections.¹ In December 2023, several members of the Committee, including Rep. Derek Kilmer of Washington, and I requested that the U.S. Government Accountability Office (“GAO”) conduct a study cooperatively with all States—all those that choose to participate—concerning the practicality of compliance with the existing federal law² requirements for filling expeditiously any vacancies in a state’s representation in the United States House of Representatives following a mass casualty event.³

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January 12, 2024

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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2024

The Honorable Jane Nelson
Secretary of State
1100 Congress Ave.
Austin, TX 78701

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The Honorable Jane Nelson

January 12, 2024

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Sincerely,



Bryan Steil
Chairman
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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2023

The Honorable Deidre Henderson
Lieutenant Governor
PO Box 142325
Salt Lake City, UT 84114

Dear Ms. Henderson:

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January 12, 2023

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JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2023

The Honorable Kelly Gee
Secretary of the Commonwealth
PO Box 2454
Richmond, VA 23218

Dear Ms. Gee:

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January 12, 2023

The Honorable Mac Warner
Secretary of State
Bldg. 1, Suite-157K
1900 Kanawha Blvd.
Charleston, WV 25305

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¹ Rules of the United States House of Representatives, Rule X(k)(12), <https://rules.house.gov/sites/republicans.rules118.house.gov/files/documents/Rules%20and%20Resources/118-House-Rules-Clerk.pdf>.

² 2 U.S.C. § 8.

³ Letter from Representative Bryan Steil (WI-01), Chairman, Committee on House Administration to the Honorable Gene L. Dodaro, Comptroller General, U.S. Government Accountability Office (Dec. 8, 2023) (attached below).

⁴ U.S. Const. art. I, § 4, cl. 1. *See also* Report: The Elections Clause: States’ Primary Constitutional Authority Over Elections, Comm. on H. Admin. (Republicans) (Aug. 12, 2021), https://republicanscha.house.gov/sites/republicans.cha.house.gov/files/documents/Report_The%20Elections%20Clause_States%20Primary%20Constitutional%20Authority%20over%20Elections%20%28Aug%2011%202021%29.pdf.

⁵ Report: The Elections Clause: States’ Primary Constitutional Authority Over Elections, Comm. on H. Admin. (Republicans) (Aug. 12, 2021), https://republicanscha.house.gov/sites/republicans.cha.house.gov/files/documents/Report_The%20Elections%20Clause_States%20Primary%20Constitutional%20Authority%20over%20Elections%20%28Aug%2011%202021%29.pdf.

⁶ 2 U.S.C. § 8(b)(2). *See also* Ga. Code § 21-2-543.1.

The Honorable Mac Warner

January 12, 2023

Page 2 of 2

about the practicality of compliance with the timelines currently in federal statute.⁷ In the current Congress, in addition to its request, the Committee unanimously approved a bipartisan amendment led by Mr. Kilmer during a markup of H.R. 4563, the American Confidence in Elections Act, that would require the GAO to perform this study.⁸ Our Committee is devoting renewed attention to this matter in light of the worrisome increase in the number of serious, credible threats against Members of Congress.

Thank you for your consideration of this important request.

Please send any questions or comments to Caleb Hays, General Counsel and Deputy Staff Director, at Caleb.Hays@mail.house.gov.

Sincerely,



Bryan Steil
Chairman
Committee on House Administration

Enclosures: Correspondence dated December 8, 2023, from bipartisan members of the U.S. House Committee on House Administration to the Government Accountability Office, requesting that the Office work collaboratively with the several States to study issues relating to the continuity of government during a mass casualty event.

Correspondence dated December 19, 2023, from the U.S. Government Accountability Office accepting the request from the U.S. House Committee on House Administration to study issues relating to the continuity of government during a mass casualty event.

cc: The Hon. Derek Kilmer, U.S. Representative from Washington's Sixth District

BGS/ad

⁷ *Congressional Continuity: Ensuring the First Branch is Prepared in Times of Crisis: Hearing Before the H. Select Comm. on the Modernization of Congress*, 117th Cong. (2022). The Committee on House Administration's Subcommittee on Modernization is the successor the Select Committee on the Modernization of Congress.

⁸ *Full Committee Markup of H.R. 4563, American Confidence in Elections Act: Markup Before the H. Comm. On Admin.*, 118th Cong. (2023).

BRYAN STEIL, WISCONSIN
CHAIRMAN

BARRY LOUDERMILK, GEORGIA
H. MORGAN GRIFFITH, VIRGINIA
GREGORY F. MURPHY, NORTH CAROLINA
STEPHANIE I. BICE, OKLAHOMA
MIKE CAREY, OHIO
ANTHONY D'ESPOSITO, NEW YORK
LAUREL M. LEE, FLORIDA

MICHAEL PLATT
STAFF DIRECTOR

One Hundred Eighteenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
1309 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515-6157
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DEREK KILMER, WASHINGTON
NORMA J. TORRES, CALIFORNIA

JAMIE FLEET
MINORITY STAFF DIRECTOR

January 12, 2023

The Honorable Chuck Gray
Secretary of State
Herschler Bldg East,
122 West 25th St., Suite 100
Cheyenne, WY 82002

Dear Mr. Gray:

I serve as Chairman of the U.S. House Committee on House Administration (“the Committee”), which has broad oversight of our nation’s federal elections.¹ In December 2023, several members of the Committee, including Rep. Derek Kilmer of Washington, and I requested that the U.S. Government Accountability Office (“GAO”) conduct a study cooperatively with all States—all those that choose to participate—concerning the practicality of compliance with the existing federal law² requirements for filling expeditiously any vacancies in a state’s representation in the United States House of Representatives following a mass casualty event.³

Given the importance of this matter, I want to encourage you to join with GAO in its study.

Congress recognizes that the Constitution assigns the States the primary authority to determine election law and to administer federal elections.⁴ Congress’s role is limited with respect to elections but includes the responsibility to act as a fail-safe in serious situations where the continuity of the House of Representatives is threatened.⁵ This constitutional command and the breadth of variation of governance structure between the States means that the current federal law framework, while well-intended, may not effectively account for the diversity in needs, geography, government structure, political culture, and other areas.⁶

This bipartisan idea, led by committee member Rep. Derek Kilmer (D-WA06), originated out of a hearing in the 117th Congress before the Select Committee on the Modernization of Congress, which Mr. Kilmer chaired, where several Secretaries of State responsible for the administration of special elections in their states raised concerns

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⁵ Report: The Elections Clause: States’ Primary Constitutional Authority Over Elections, Comm. on H. Admin. (Republicans) (Aug. 12, 2021), https://republicanscha.house.gov/sites/republicans.cha.house.gov/files/documents/Report_The%20Elections%20Clause_States%20Primary%20Constitutional%20Authority%20over%20Elections%20%28Aug%2011%202021%29.pdf.

⁶ 2 U.S.C. § 8(b)(2). *See also* Ga. Code § 21-2-543.1.

The Honorable Chuck Gray

January 12, 2023

Page 2 of 2

about the practicality of compliance with the timelines currently in federal statute.⁷ In the current Congress, in addition to its request, the Committee unanimously approved a bipartisan amendment led by Mr. Kilmer during a markup of H.R. 4563, the American Confidence in Elections Act, that would require the GAO to perform this study.⁸ Our Committee is devoting renewed attention to this matter in light of the worrisome increase in the number of serious, credible threats against Members of Congress.

Thank you for your consideration of this important request.

Please send any questions or comments to Caleb Hays, General Counsel and Deputy Staff Director, at Caleb.Hays@mail.house.gov.

Sincerely,



Bryan Steil
Chairman
Committee on House Administration

Enclosures: Correspondence dated December 8, 2023, from bipartisan members of the U.S. House Committee on House Administration to the Government Accountability Office, requesting that the Office work collaboratively with the several States to study issues relating to the continuity of government during a mass casualty event.

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cc: The Hon. Derek Kilmer, U.S. Representative from Washington's Sixth District

BGS/ad

⁷ *Congressional Continuity: Ensuring the First Branch is Prepared in Times of Crisis: Hearing Before the H. Select Comm. on the Modernization of Congress*, 117th Cong. (2022). The Committee on House Administration's Subcommittee on Modernization is the successor the Select Committee on the Modernization of Congress.

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BRYAN STEIL, WISCONSIN
CHAIRMAN

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NORMA J. TORRES, CALIFORNIA

JAMIE FLEET
MINORITY STAFF DIRECTOR

December 8, 2023

The Honorable Gene L. Dodaro
Comptroller General
U.S. Government Accountability Office
441 G St. N.W.
Washington, D.C. 20548

Dear Comptroller General Dodaro:

We write to request that the Government Accountability Office (“GAO”) conduct a study cooperatively with all States that choose to participate of the capability of the States to comply with the existing federal law¹ requirements for filling expeditiously any vacancies in a state’s representation in the United States House of Representatives (“House”) following a mass casualty event. In light of a worrisome increase in the number of serious, credible threats against members of Congress,² we want to ensure that the States are appropriately positioned to act to ensure continuity of government and operations in the event of the unthinkable.

The Constitution requires all House vacancies to be filled via special election and entrusts each state’s governor with the responsibility of issuing a writ of election.³ This stands in stark contrast with Senate vacancies, where the Constitution allows each state’s legislature to empower their governor to make interim appointments.⁴ Following the terrorist attacks on September 11, 2001, federal law was amended to respond in the event of an extraordinary circumstance and may be able to compel states to hold a special election on an expedited timeframe. Should the statute operate, if the Speaker of the House of Representatives announces that the House has suffered more than 100 vacancies, each state with a vacancy would be required to hold a special election within 49 days.⁵

Some states, like Georgia, have enacted state law to mirror the federal statutory language, perhaps suggesting a pathway to ensure readiness.⁶ Yet, 22 years after that attack, it remains unknown if other states are prepared to respond in the event that threatens the continuity of the federal government. Specific instances of crises that could

¹ 2 U.S.C. § 8

² Dick Uliano, *Threats against members of Congress up 400%, US Capitol police chief says*, WTOPnews (May 17, 2023), <https://wtop.com/congress/2023/05/u-s-capitol-police-facing-more-threats-while-understaffed/#.>; Michael Kaplan, Kathryn Watson, *Capitol Police investigated about 7,500 cases of potential threats against lawmakers in 2022*, CBS News (Jan. 17, 2023), [https://www.cbsnews.com/news/threats-congress-2022/.](https://www.cbsnews.com/news/threats-congress-2022/); Andrew Solender, *Capitol Police data indicates threats to lawmakers have surged since 2017*, Axios (June 21, 2022), <https://www.axios.com/2022/06/22/capitol-police-threats-congress.>

³ U.S. Const. art. I, § 2, cl. 4. A writ of election is an order calling for an election.

⁴ U.S. Const. amend. XVII.

⁵ 2 U.S.C. § 8(b)(2). There is some debate about the operative status of this statute, yet it remains on the books today.

⁶ Ga. Code § 21-2-543.1.

impact Congress' ability to carry out its duties could include a mass casualty event aimed at all or most Members simultaneously such as at the State of the Union or a caucus retreat; a more narrowly targeted attack where enough Members of one party are killed to change the majority composition of the House; or finally, an accident where full states or regions' Members die in an accident, effectively stripping them of representation in Congress at least for some time. As such, GAO working with States on a voluntary basis to study whether they are prepared to meet the current federal statutory language is of key importance.

This is an issue that each of us believes deserves serious attention. During a markup of H.R. 4563, the American Confidence in Elections Act, the Committee on House Administration unanimously approved a bipartisan amendment directing GAO to study this issue.⁷ Moreover, in the 117th Congress, the Select Committee on the Modernization of Congress held a related hearing entitled, "Congressional Continuity: Ensuring the First Branch is Prepared in Times of Crisis."⁸ In preparation for that hearing, several Secretaries of State responsible for the administration of special elections in their states raised concerns about their ability to comply with the required timelines.

GAO's cooperative study of the practicality of holding special elections within the statutory timeframe will further inform Congress's work to prepare for the continuity of government and operations during an emergency.

For questions or additional information, please contact Caleb Hays, majority General Counsel and Deputy Staff Director, at Caleb.Hays@mail.house.gov, or Heather Painter, Representative Kilmer's Legislative Director, at Heather.Painter@mail.house.gov.

Sincerely,



Bryan Steil
Chairman
Committee on House Administration



Joseph D. Morelle
Ranking Member
Committee on House Administration



Stephanie Bice
Chair, Subcommittee on Modernization
Committee on House Administration



Derek Kilmer
Ranking Member, Subcommittee on Modernization
Committee on House Administration

⁷ *Full Committee Markup of H.R. 4563, American Confidence in Elections Act: Markup Before the H. Comm. On Admin., 118th Cong. (2023).*

⁸ *Congressional Continuity: Ensuring the First Branch is Prepared in Times of Crisis: Hearing Before the H. Select Comm. on the Modernization of Congress, 117th Cong. (2022).* The Committee on House Administration's Subcommittee on Modernization is the successor the Select Committee on the Modernization of Congress.



Laurel M. Lee
Chair, Subcommittee on Elections
Committee on House Administration



Terri A. Sewell
Ranking Member, Subcommittee on Elections
Committee on House Administration



Barry Loudermilk
Chair, Subcommittee on Oversight
Committee on House Administration



Norma J. Torres
Ranking Member, Subcommittee on Oversight
Committee on House Administration

BGS/ad



441 G St. N.W.
Washington, DC 20548

December 19, 2023

Congressional Requesters:

Thank you for your letter requesting that the Government Accountability Office review matters relating to all states that choose to participate, of the capability of the states to comply with the existing federal requirements for filling expeditiously any vacancies in a state's representation in the United States House of Representatives following a mass casualty event.

GAO accepts your request as work that is within the scope of its authority. We anticipate that staff with the required skills will be available shortly to initiate an engagement. Your request has been assigned to Mr. Charles Michael Johnson, Jr., Managing Director, Homeland Security and Justice. Mr. Johnson or a member of his team will contact the staff points of contact to discuss the request, your needs, and the engagement objectives, scope, and methodology in accordance with GAO's protocols. As applicable, we will also be in contact with the cognizant Inspector General's office to ensure that we are not duplicating efforts. If an issue arises during this coordination, we will consult with you regarding its resolution.

If you have any questions, please contact Mr. Johnson at 202-512-7331 or johnsoncm@gao.gov, or Ms. Rachel E. Beers, Assistant Director, Congressional Relations, on my staff at 202-512-6266 or beersre@gao.gov.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'A. Clowers', with a stylized flourish at the end.

A. Nicole Clowers
Managing Director
Congressional Relations

Attachment

Ref: CCAR 24-0182

Attachment: List of Requesters

The Honorable Bryan Steil
Chairman, Committee on House Administration
House of Representatives
(POC: Caleb Hays)

The Honorable Joseph D. Morelle
Ranking Member, Committee on House Administration
House of Representatives

The Honorable Stephanie Bice
Chair, Subcommittee on Modernization
Committee on House Administration
House of Representatives

The Honorable Derek Kilmer
Ranking Member, Subcommittee on Modernization
Committee on House Administration
House of Representatives
(POC: Heather Painter)

The Honorable Laurel M. Lee
Chair, Subcommittee on Elections
Committee on House Administration
House of Representatives

The Honorable Terri A. Sewell
Ranking Member, Subcommittee on Elections
Committee on House Administration
House of Representatives

The Honorable Barry Loudermilk
Chair, Subcommittee on Oversight
Committee on House Administration
House of Representatives

The Honorable Norma J. Torres
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