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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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July 29, 2024

The Honorable Thomas Vilsack
Secretary
Department of Agriculture
1400 Independence Ave., S.W.
Washington, D.C. 20250

Dear Secretary Vilsack:

The Committee on House Administration (“Committee”) in is receipt of your response on June 26, 2024, to the subpoena issued on June 12, 2024. Additionally, the Committee has reviewed numerous documents that the Department has released to the general public through its obligations under the Freedom of Information Act (“FOIA”). These documents, released under the letterhead of your department, reveal a substantial volume of documents that have not been provided to Congress.

Clearly, the letter and production of documents you provided did not comply with the subpoena, were not comprehensive, and virtually all documents that were listed in the “Schedule to Subpoena” were not included in the production.

As stated in previous letters, the Committee has broad legislative and oversight jurisdiction over federal elections.¹ Pursuant to its Constitutional oversight responsibilities regarding the integrity and fairness of federal elections, the Committee issued the subpoena for production of documents and communications related to the implementation of Executive Order 14019 (“E.O. 14019”) by the United States Department of Agriculture (“Department”). Congress has broad authority to conduct oversight, including issuing subpoenas, over agencies and programs that it creates and funds.²

Included in your June 26 response were the following documents:

- 1) March 23, 2022, memo titled “Promoting Access to Voting through Child Nutrition Programs;”
- 2) April 1, 2022, memo titled “Administrative Leave for Voting;” and

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 The “power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes.” *Watkins v. United States*, 354 U.S. 178, 187 (1957). “The scope of the power of inquiry ... is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution.” *Barenblatt v. United States*, 360 U.S. 109, 111 (1959). “Without information, Congress would be shooting in the dark, unable to legislate ‘wisely or effectively.’” *Trump v. Mazars USA, LLP*, 140 S. Ct. 2019, 2031 (2020).

3) September 26, 2023, letter entitled “USDA: USDA supports voting rights.”

This is not a comprehensive response to the subpoena.

In the cover letter to the subpoena, the Committee stated that E.O. 14019 required each federal agency to produce a strategic plan. The Department did not include a strategic plan, nor any communications related to strategic plans in its production; therefore, not fully complying with the subpoena.

The Committee is aware of other documents released pursuant to FOIA requests³ that the Department was required to provide pursuant to the June 12 subpoena. The Department should produce those documents and all other documents referenced to comply with the subpoena in good faith.

Emails⁴ from the Department were released pursuant to a FOIA request. These communications reveal that offices within the Department began developing plans to implement E.O. 14019 prior to April 2021 which culminated in an interim strategic plan that was “the basis for feedback and discussion leading to a more detailed strategic plan.”⁵ This interim strategic plan appears to have been completed on or about June 23, 2021.⁶ Moreover, these apparent plans were redacted in the release.

Discussed in these emails were plans to mobilize voters. The emails discuss:

- 1) Requiring the Food and Nutrition Service to provide voter registration forms to patrons to whom the office comes into contact – further details on this plan were redacted;
- 2) Mobilizing 100,000+ Department personnel through “regular communication channels” and;
- 3) Mobilizing voters through the Department’s website, social media, and communications networks to “reach millions of Americans instantly.”⁷

The Committee has learned through other sources that the Department has released the names of entities that the agency met with regarding the implementation of E.O. 14019. There have been meetings between the Department and outside groups regarding the implementation of E.O. 14019. These include the

³ Fred Lucas, *EXCLUSIVE: Harvesting Voters? These Left-Wing Groups Are Teaming With USDA*, The Daily Signal (May 2, 2024), <https://www.dailysignal.com/2024/05/02/exclusive-under-biden-order-usda-teams-with-left-wing-groups-to-grow-new-voters/>.

⁴ *Id.*

⁵ E-mail from Akhil Rajan – OSEC, U.S. Dept. of Agric. to Akhil Rajan – OSEC, U.S. Dept. of Agric. (April 5, 2021, 1:10 p.m. EDT) (found at Fred Lucas, *EXCLUSIVE: Harvesting Voters? These Left-Wing Groups Are Teaming With USDA*, The Daily Signal (May 2, 2024), <https://www.dailysignal.com/2024/05/02/exclusive-under-biden-order-usda-teams-with-left-wing-groups-to-grow-new-voters/>).

⁶ E-mail from Kumar Chandran – OSEC, U.S. Dept. of Agric. to Stuart Bender – OE, U.S. Dept. of Agric., David Grahn – OGC, U.S. Dept. of Agric. (June 23, 2021, 3:11 p.m. EDT) (found at Fred Lucas, *EXCLUSIVE: Harvesting Voters? These Left-Wing Groups Are Teaming With USDA*, The Daily Signal (May 2, 2024), <https://www.dailysignal.com/2024/05/02/exclusive-under-biden-order-usda-teams-with-left-wing-groups-to-grow-new-voters/>).

⁷ E-mail from Kumar Chandran – OSEC, U.S. Dept. of Agric. to Akhil Rajan – OSEC, U.S. Dept. of Agric. (May 28, 2021, 12:24 p.m. EDT) (found at Fred Lucas, *EXCLUSIVE: Harvesting Voters? These Left-Wing Groups Are Teaming With USDA*, The Daily Signal (May 2, 2024), <https://www.dailysignal.com/2024/05/02/exclusive-under-biden-order-usda-teams-with-left-wing-groups-to-grow-new-voters/>).

American Civil Liberties Union, Demos, the National Low Income Housing Coalition, and the National Housing Law Project. We understand one of these meetings occurred on or about August 3, 2021.⁸

Also, the Committee has learned through other sources that the Department may have met with outside entities to discuss the E.O. See listed below nongovernmental groups that the Department may have met with:

- AFL-CIO, AFSCME
- The Advancement Project
- All Voting is Local
- American Association of People with Disabilities
- American Bar Association
- The American Civil Liberties Union
- The Anti-Defamation League
- Arab American Institute
- Asian & Pacific Islander American Health Forum
- Asian Americans Advancing Justice
- Association of Clinicians for the Underserved
- Black Voters Matter
- Brennan Center for Justice at NYU
- Business for America
- The Campaign Legal Center
- Common Cause
- Democracy Fund
- Demos
- End Citizens United/Let America Vote
- The Fair Elections Center
- Fair Fight Action
- FairVote
- Headcount
- Healthy Democracy Healthy People
- Lawyers' Committee for Civil Rights
- The Leadership Conference on Civil and Human Rights
- The Mexican American Defense and Education Fund ("MALDEF")
- NAACP
- National Action Network
- National Congress of American Indians
- National Council of Jewish Women
- National Disability Rights Network
- National Education Association
- National Urban League
- Native American Rights Fund
- League of Women Voters
- Open Society Policy Center
- Our Vote Texas/Texas
- Progressive Action Network
- People For the American Way
- Religious Action Center of Reform Judaism
- The Sentencing Project
- Southern Coalition for Social Justice
- States United Democracy Center
- The Southern Poverty Law Center
- UnidosUS
- Verified Voting
- Vot-ER
- YWCA USA

⁸ Email from Valeria Best, U.S. Dept. of Agric. via Microsoft Teams Aug. 3, 2021 (found at https://oversight.heritage.org/04_2024-DA-02151

F%20responsive%20record%20redlined_Redacted.pdf?_gl=1*fzf0u9*_gcl_au*NjY5MzI3MTQxLjE3MTcxNzkwMDY.*_ga*MzQ2NDU0MzkzLjE3MTcxNzkwMDY.*_ga_W14BT6YQ87*MTcyMTkzNDU5Ny4xOS4wLjE3MjE5MzQ1OTcuNjAuMC4w).

Please provide a complete list of all the nongovernmental groups that your agency met with and any documents or communications between the Department and the nongovernmental groups that provided advice of any kind about the drafting of strategic plans, the implementation of those plans, or the selection of voter registration sites.

The Committee has learned that several organizations volunteered to assist your agency's voter registration efforts. Specifically, on or about July 8, 2021, an individual from the Raben Group reached out on behalf of Demos to discuss the implementation of E.O. 14019.⁹ Also, Demos shared data with the Department on NVRA implementation and the 2018 EAVS report. Demos believed this information would aid the Department in voter mobilization.¹⁰ Please provide all relevant documents related to and derived from these communications.

It is deeply troubling that the Department would comply with its statutory obligations under the FOIA statutes and release documents to the public and yet fail to comply with a Congressional subpoena. The Department should produce those documents required by law to comply with the subpoena in good faith. Failure to promptly comply with the subpoena will leave the Committee in a position to require compelled transcribed interviews of numerous Departmental employees and pursue additional remedies for noncompliance with a Congressional subpoena.

Per the "Schedule to Subpoena," please fully comply with the subpoena by sending the strategic plan and all related documents, and documents pertaining to correspondence with outside organizations and state and local officials by August 2, 2024. Please contact T. March Bell, General Counsel of the Committee on House Administration, at March.Bell@mail.house.gov, if you have any questions.

Sincerely,



Bryan Steil
Chairman
Committee on House Administration

⁹ E-mail from Dylan Tureff, The Raben Group on behalf of Demos to Dewayne Lydell Goldman - OSEC, U.S. Dept. of Agric. (July 14, 2021, 2021, 9:34 a.m. EDT) (found at Fred Lucas, *EXCLUSIVE: Harvesting Voters? These Left-Wing Groups Are Teaming With USDA*, The Daily Signal (May 2, 2024), <https://www.dailysignal.com/2024/05/02/exclusive-under-biden-order-usda-teams-with-left-wing-groups-to-grow-new-voters/>).

¹⁰ E-mail from Adam Lioz, Demos to Dewayne Lydell Goldman – OSEC et al., U.S. Dept. of Agric. (Aug. 9, 2021, 2021, 6:58 a.m. EDT) (found at https://oversight.heritage.org/04_2024-DA-02151-F%20responsive%20record%20redlined_Redacted.pdf?_gl=1*fzf0u9*_gcl_au*NjY5MzI3MTQxLjE3MTcxNzkwMDY.*_ga*MzQ2NDU0MzkzLjE3MTcxNzkwMDY.*_ga_W14BT6YQ87*MTcyMTkzNDU5Ny4xOS4wLjE3MjE5MzQ1OTcuNjAuMC4w).

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JAMIE FLEET
MINORITY STAFF DIRECTOR

July 29, 2024

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services
200 Independence Ave, S.W.
Washington D.C. 20201

Dear Secretary Becerra:

The Committee is in receipt of your response on June 26, 2024, to the subpoena the Committee on House Administration of the U.S. House of Representatives (“Committee”) issued on June 13, 2024. Additionally, the Committee has reviewed numerous documents that the Department of Health and Human Services (“Department”) has released to the general public through its obligations under the Freedom of Information Act (“FOIA”). These documents, released under the Letterhead of your Department reveal a substantial volume of documents that have not been provided to Congress.

Clearly, the letter and production of documents you provided did not comply with the subpoena, were not comprehensive, and virtually all documents that were listed in the “Schedule to Subpoena” were not included in the production.

As stated in previous letters, the Committee has broad legislative and oversight jurisdiction over federal elections.¹ Pursuant to its Constitutional oversight responsibilities regarding the integrity and fairness of federal elections, the Committee issued the subpoena for production of documents and communications related to the implementation of Executive Order 14019 (“E.O. 14019”) by the Department of Health and Human Services. Congress has broad authority to conduct oversight, including by the issuance of subpoenas, over agencies and programs that it creates and funds.²

The Department’s response to the subpoena included material related to the Health Care Marketplace. HHS provided no documents about its plans to register voters at any of its many locations throughout the nation.

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>.

²The “power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes.” *Watkins v. United States*, 354 U.S. 178, 187 (1957). “The scope of the power of inquiry ... is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution.” *Barenblatt v. United States*, 360 U.S. 109, 111 (1959). “Without information, Congress would be shooting in the dark, unable to legislate ‘wisely or effectively.’” *Trump v. Mazars USA, LLP*, 140 S. Ct. 2019, 2031 (2020).

Specifically, E.O. 14019 required each federal agency to produce a strategic plan stating how the agency would implement the E.O. The Department of HHS did not include a strategic plan, nor any documentation related to a strategic plan in its response to the subpoena.

Also, the Committee has learned through other sources that the Department has met with outside entities to discuss the E.O. Through documents that the Biden Administration has provided to the public but not to Congress, the organizations listed below are nongovernmental groups that have been listed in one or more FOIA production made by the Biden Administration. HHS may have consulted with or met with some or all the following:

- AFL-CIO, AFSCME
- The Advancement Project
- All Voting is Local
- American Association of People with Disabilities
- American Bar Association
- The American Civil Liberties Union
- The Anti-Defamation League
- Arab American Institute
- Asian & Pacific Islander
- American Health Forum
- Asian Americans Advancing Justice
- Association of Clinicians for the Underserved
- Black Voters Matter
- Brennan Center for Justice at NYU
- Business for America
- The Campaign Legal Center
- Common Cause
- Democracy Fund
- Demos
- End Citizens United/Let America Vote
- The Fair Elections Center
- Fair Fight Action
- FairVote
- Headcount
- Healthy Democracy
- Healthy People
- Lawyers' Committee for Civil Rights
- The Leadership Conference on Civil and Human Rights
- The Mexican American Defense and Education Fund ("MALDEF")
- NAACP
- National Action Network
- National Congress of American Indians
- National Council of Jewish Women
- National Disability Rights Network
- National Education Association
- National Urban League
- Native American Rights Fund
- League of Women Voters
- Open Society Policy Center
- Our Vote Texas/ Texas
- Progressive Action Network
- People For the American Way
- Religious Action Center of Reform Judaism
- The Sentencing Project
- Southern Coalition for Social Justice
- States United Democracy Center
- The Southern Poverty Law Center
- UnidosUS
- Verified Voting
- Vot-ER
- YWCA USA

Please provide a complete list of all the nongovernmental groups that your agency met with and any documents or communications between the Department and the nongovernmental organizations that provided advice of any kind about the drafting of strategic plans, the implementation of those plans or the selection of voter registration sites.

Further, the Committee has received documents from other sources showing emails between the Department officials and non-governmental organizations described below:

- 1) Within the Administration on Children and Families documents that reference, “[O]ur team on E.O. 14019 Action items and milestones. Attached is our updated spreadsheet, with revised action items and milestones . . .” The Committee has received no spreadsheets, no emails, no listing of nongovernmental groups who may have participated in forming “action items and milestones.”
- 2) Communications involving the Office of Refugee Resettlement. The Committee has received no documents pertaining to the involvement of the Officer of Refugee Resettlement.
- 3) A Plan by HHS to turn more than 1,400 Community Health Centers (which have over 14,000 health care delivery sites) into Voter Registration Hubs. The Committee has received no documents related to registering voters in Community Health Centers.
- 4) References to the selection of particular Indian Tribes for voter registration through the Indian Health Service. The Committee has received no documents pertaining to any discussion about how particular tribes were selected.

Additionally, it is troubling to the Committee that the Department would comply with its statutory obligations under the FOIA statutes and release documents to the public and yet fail to comply with a Congressional subpoena. The Department should produce those documents required by law to comply with the subpoena in good faith. Failure to promptly comply with the subpoena will leave the Committee in a position where it will require compelled transcribed interviews of numerous Departmental employees and pursue additional remedies for noncompliance with a Congressional subpoena.

Per the “Schedule to Subpoena,” please fully comply with the subpoena by sending the strategic plan and all related documents, and documents pertaining to correspondence with outside organizations and state and local officials by August 22, 2024. Please contact T. March Bell, General Counsel, Committee on House Administration at March.Bell@mail.house.gov, if you have any questions.

Sincerely,



Bryan Steil
Chairman
Committee on House Administration

BRYAN STEIL, WISCONSIN
CHAIRMAN

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JAMIE FLEET
MINORITY STAFF DIRECTOR

July 29, 2024

Adrienne Todman
Acting Secretary
U.S. Department of Housing and Urban Development
451 7th Street S.W.,
Washington, D.C. 20410

Dear Acting Secretary Todman:

The Committee is in receipt of your response on June 26, 2024, to the subpoena the Committee on House Administration of the U.S. House of Representatives (“Committee”) issued on June 17, 2024. Additionally, the Committee has reviewed numerous documents that the Department of Housing and Urban Development (“Department”) has released to the general public through its obligations under the Freedom of Information Act (“FOIA”). These documents, released under the Letterhead of your Department, reveal a substantial volume of documents that have not been provided to Congress.

Clearly, the letter and production of documents you provided did not comply with the subpoena, were not comprehensive, and virtually all documents that were listed in the “Schedule to Subpoena” were not included in the production.

As stated in previous letters, the Committee has broad legislative and oversight jurisdiction over federal elections.¹ Pursuant to its constitutional oversight responsibilities regarding the integrity and fairness of federal elections, the Committee issued the subpoena for production of documents and communications related to the implementation of Executive Order 14019 (“E.O. 14019”) by the Department. Congress has broad authority to conduct oversight, including by the issuance of subpoenas, over agencies and programs that it creates and funds.²

The Department’s response to the subpoena included four documents: (1) a Public and Indian Housing Announcement, (2) a bulletin titled, “Voting Rights and Access for Residents and HUD-Assisted Properties,” (3) a release titled, “Partner Resource: USICH Releases Voting Guides for Homeless Providers and People Experiencing Homelessness,” and (4) a press release, titled, “OPM Announces Paid Time Off for Federal Employees to Vote.” The response also informed the Committee that the Department’s website included a link to Vote.gov. This is not a comprehensive response to the subpoena.

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>.

²The “power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes.” *Watkins v. United States*, 354 U.S. 178, 187 (1957). “The scope of the power of inquiry ... is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution.” *Barenblatt v. United States*, 360 U.S. 109, 111 (1959). “Without information, Congress would be shooting in the dark, unable to legislate ‘wisely or effectively.’” *Trump v. Mazars USA, LLP*, 140 S. Ct. 2019, 2031 (2020).

Specifically, E.O. 14019 required each federal agency to produce a strategic plan stating how the agency would implement the E.O. The Department did not include a strategic plan, nor any documentation related to a strategic plan in its response to the subpoena.

Below is a list compiled by the White House of nongovernmental groups that the Department may have met with:

- AFL-CIO, AFSCME
- The Advancement Project
- All Voting is Local
- American Association of People with Disabilities
- American Bar Association
- The American Civil Liberties Union
- The Anti-Defamation League
- Arab American Institute
- Asian & Pacific Islander
- American Health Forum
- Asian Americans Advancing Justice
- Association of Clinicians for the Underserved
- Black Voters Matter
- Brennan Center for Justice at NYU
- Business for America
- The Campaign Legal Center
- Common Cause
- Democracy Fund
- Demos
- End Citizens United/Let America Vote
- The Fair Elections Center
- Fair Fight Action
- FairVote
- Headcount
- Healthy Democracy
- Healthy People
- Lawyers' Committee for Civil Rights
- The Leadership Conference on Civil and Human Rights
- The Mexican American Defense and Education Fund ("MALDEF")
- NAACP
- National Action Network
- National Congress of American Indians
- National Council of Jewish Women
- National Disability Rights Network
- National Education Association
- National Urban League
- Native American Rights Fund
- League of Women Voters
- Open Society Policy Center
- Our Vote Texas/Texas
- Progressive Action Network
- People For the American Way
- Religious Action Center of Reform Judaism
- The Sentencing Project
- Southern Coalition for Social Justice
- States United Democracy Center
- The Southern Poverty Law Center
- UnidosUS
- Verified Voting
- Vot-ER
- YWCA US

Please provide a complete list of all the nongovernmental groups that your agency met with and any documents or communications between the Department and the nongovernmental organizations that provided advice of any kind about the drafting of strategic plans, the implementation of those plans or the selection of voter registration sites.

In addition, the Committee has learned that the Department had sent multiple guidance letters to state and local government partners that “directly oversee and operate federal agency-funded programs with direct client engagement to explore the best ways to provide robust voter registration assistance and to seek [National Voter Registration Act] NVRA designations.”³ Four Department offices mailed guidance letters “regarding voter participation to local public housing agencies,” which include: (1) the Office of Public and Indian Housing, (2) the Office of Multifamily Housing Programs, (3) the Office of Special Needs Programs, and (4) the Office of HIV/AIDS Housing.⁴ However, only one of these communications was provided to the Committee.

Furthermore, the Committee has learned from other sources that the Department selected locations throughout the United States to register voters as the Department issued guidance “to executive directors of more than 3,000 public housing authorities” on “run[ning] voter registration drives through public housing agencies.”⁵ Moreover, federal housing officials have advised local agencies on the process of applying to become a voter registration agency, as well as setting up “drop boxes for ballots on the premises.”⁶ Please provide the Department’s implementation plan and a list of all locations selected by your agency to register voters. No information or communication regarding the matters discussed above that the Department was required to provide pursuant to the June 17 subpoena have been provided to the Committee.

It is deeply troubling that the Department would comply with its statutory obligations under the FOIA statutes and release documents to the public and yet fail to comply with a Congressional subpoena. The Department should produce those documents required by law to comply with the subpoena in good faith. Failure to promptly comply with the subpoena will leave the Committee in a position to require compelled transcribed interviews of numerous Departmental employees and pursue additional remedies for noncompliance with a Congressional subpoena.

Per the “Schedule to Subpoena,” please fully comply with the subpoena by sending the strategic plan and all related documents, and documents pertaining to correspondence with outside organizations and state and local officials by August 2, 2024. Please contact T. March Bell, General Counsel of the Committee on House Administration, at March.Bell@mail.house.gov, if you have any questions.

³The Leadership Conf. on Civ. and Hum. Rts., et al., *Strengthening Democracy: A Progress Report on Federal Agency to Promote Access to Voting* (2013), https://civilrights.org/wp-content/uploads/2023/03/ProgressReport_VotingAccess.pdf.

⁴The Daily Signal, *HUD Pushes Voter Registration Drives in Public Housing Under Biden’s Executive Order*, Apr. 27, 2024, <https://www.dailysignal.com/2022/04/27/hud-pushes-voter-registration-drives-in-public-housing-under-bidens-executive-order/>.

⁵*Weaponizing Federal Resources: Exposing The SBA’s Voter Registration Efforts*: Written Testimony For Hearing Before the Comm. on Small Bus., 118 Cong. 4 (2004) (Statement of Stewart Whitson, Senior Dir. of Fed. Aff., Foundation for Government Accountability) (citing Fred Lucas, *HUD Pushes Voter Registration Drives in Public Housing Under Biden’s Executive Order*, The Daily Signal (2022) <https://www.dailysignal.com/2022/04/27/hud-pushes-voter-registration-drives-in-public-housing-under-bidens-executive-order/>).

⁶ Ibid.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Steil". The signature is fluid and cursive, with the first letter of the first name being a large, stylized 'B'.

Bryan Steil
Chairman
Committee on House Administration

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JAMIE FLEET
MINORITY STAFF DIRECTOR

July 29, 2024

Julie Su
Acting Secretary
U.S. Department of Labor
200 Constitution Ave NW
Room S-2220
Washington, DC 20210

Dear Acting Secretary Su:

The Committee is in receipt of your response on June 26, 2024, to the subpoena the Committee on House Administration of the U.S. House of Representatives (“Committee”) issued on June 13, 2024. Additionally, the Committee has reviewed numerous documents that the Department has released to the general public through its obligations under the Freedom of Information Act (FOIA). These documents, released under the Letterhead of the Department, reveal a substantial volume of documents that have not been provided to Congress.

Clearly, the letter and production of documents you provided did not comply with the subpoena, were not comprehensive, and virtually all documents that were listed in the “Schedule to Subpoena” were not included in the production.

As stated in previous letters, the Committee has broad legislative and oversight jurisdiction over federal elections.¹ Pursuant to its Constitutional oversight responsibilities regarding the integrity and fairness of federal elections, the Committee issued the subpoena for production of documents and communications related to the implementation of Executive Order 14019 (“E.O. 14019”) by the Department of Labor. Congress has broad authority to conduct oversight, including by the issuance of subpoenas, over agencies and programs that it creates and funds.²

The Department’s response to the subpoena included a single document, which was issued on March 25, 2022, the “Training and Employment Guidance Letter No. 8-21” to State Workforce Agencies, State Workforce Liaisons, State Workforce Development Boards, Local Workforce Development Boards, All

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>.

²The “power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes.” *Watkins v. United States*, 354 U.S. 178, 187 (1957). “The scope of the power of inquiry ... is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution.” *Barenblatt v. United States*, 360 U.S. 109, 111 (1959). “Without information, Congress would be shooting in the dark, unable to legislate ‘wisely or effectively.’” *Trump v. Mazars USA, LLP*, 140 S. Ct. 2019, 2031 (2020).

American Job Center Programs, and Job Corps Center Operators. This single document is already publicly available on the Agency’s website.³ This is not a comprehensive response to the subpoena.

Specifically, E.O. 14019 required each federal agency to produce a strategic plan stating how the agency would implement the E.O. The Department of Labor did not include a strategic plan, nor any documentation related to a strategic plan in its response to the subpoena.

Also, the Committee has learned through other sources that the Department has met with outside entities, such as Demos, to discuss E.O 14019. See listed below nongovernmental groups that the Department may have met with:

- AFL-CIO, AFSCME
- The Advancement Project
- All Voting is Local
- American Association of People with Disabilities
- American Bar Association
- The American Civil Liberties Union
- The Anti-Defamation League
- Arab American Institute
- Asian & Pacific Islander
- American Health Forum
- Asian Americans Advancing Justice
- Association of Clinicians for the Underserved
- Black Voters Matter
- Brennan Center for Justice at NYU
- Business for America
- The Campaign Legal Center
- Common Cause
- Democracy Fund
- Demos
- End Citizens United/Let America Vote
- The Fair Elections Center
- Fair Fight Action
- FairVote
- Headcount
- Healthy Democracy Healthy People
- Lawyers’ Committee for Civil Rights
- The Leadership Conference on Civil and Human Rights
- The Mexican American Defense and Education Fund (“MALDEF”)
- NAACP
- National Action Network
- National Congress of American Indians
- National Council of Jewish Women
- National Disability Rights Network
- National Education Association
- National Urban League
- Native American Rights Fund
- League of Women Voters
- Open Society Policy Center
- Our Vote Texas/Texas
- Progressive Action Network
- People For the American Way
- Religious Action Center of Reform Judaism
- The Sentencing Project
- Southern Coalition for Social Justice
- States United Democracy Center
- The Southern Poverty Law Center
- UnidosUS
- Verified Voting
- Vot-ER
- YWCA USA

³ See EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM, Department of Labor (Mar. 25, 2022), https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2022/TEGL_08-21_acc.pdf.

Please provide a complete list of all the nongovernmental groups that your agency met with and any documents or communications between the Department and the nongovernmental organizations that provided advice of any kind about the drafting of strategic plans, the implementation of those plans, or the selection of voter registration sites.

Further, the Committee has received documents from other sources showing emails and letters between the Department and state officials in Pennsylvania and Nevada regarding American Job Centers. None of those emails and letters were included in the Department's response to the subpoena.

It is deeply troubling that the Department would comply with its statutory obligations under the FOIA statutes and release documents to the public and yet fail to comply with a Congressional subpoena. The Department should produce those documents required by law to comply with the subpoena in good faith. Failure to promptly comply with the subpoena will leave the Committee in a position to require compelled transcribed interviews of numerous Departmental employees and pursue additional remedies for noncompliance with a Congressional subpoena.

Per the "Schedule to Subpoena," please fully comply with the subpoena by sending the strategic plan and all related documents, and documents pertaining to correspondence with outside organizations and state and local officials by August 2, 2024. Please contact T. March Bell, General Counsel of the Committee on House Administration, at March.Bell@mail.house.gov, if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Steil". The signature is fluid and cursive, with the first letter of the first name being a large, stylized "B".

Bryan Steil
Chairman
Committee on House Administration

BRYAN STEIL, WISCONSIN
CHAIRMAN

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MICHAEL PLATT
STAFF DIRECTOR

One Hundred Eighteenth
Congress of the United States
House of Representatives

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July 29, 2024

The Honorable Merrick Garland
Attorney General
Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear Attorney General Garland:

The Committee is in receipt of your response on June 26, 2024, to the subpoena the Committee on House Administration of the U.S. House of Representatives (“Committee”) issued on June 12, 2024.

As stated in previous letters, the Committee has broad legislative and oversight jurisdiction over federal elections.¹ Pursuant to its Constitutional oversight responsibilities regarding the integrity and fairness of federal elections, the Committee issued the subpoena for production of documents and communications related to the implementation of Executive Order 14019 (“E.O. 14019”) by the Department of Justice (“Department”). Congress has broad authority to conduct oversight, including by the issuance of subpoenas, over agencies and programs that it creates and funds.²

The Department’s response to the subpoena included a single document titled “Know Your Voting Rights: Your Guide to Federal Voting Rights Laws.” This packet is already publicly available on the Agency’s website.³ This is not a comprehensive response to the subpoena.

Specifically, E.O. 14019 required each federal agency to produce a strategic plan stating how the agency would implement the E.O. The Department of Justice did not include a strategic plan, nor any documentation related to a strategic plan in its response to the subpoena.

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 The “power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes.” *Watkins v. United States*, 354 U.S. 178, 187 (1957). “The scope of the power of inquiry ... is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution.” *Barenblatt v. United States*, 360 U.S. 109, 111 (1959). “Without information, Congress would be shooting in the dark, unable to legislate ‘wisely or effectively.’” *Trump v. Mazars USA, LLP*, 140 S. Ct. 2019, 2031 (2020).

³ Press Release, Justice Department Launches Updated Voting Rights and Elections Website, U.S. Department of Justice (April 18, 2024), <https://www.justice.gov/opa/pr/justice-department-launches-updated-voting-rights-and-elections-website>.

The Committee is aware of other documents⁴ published by the Department that the agency was required to provide pursuant to the June 12 subpoena. The Department should produce those documents and all other documents required to comply with the subpoena in good faith. Failure to promptly comply with the subpoena will leave the Committee in a position to require compelled transcribed interviews of numerous Departmental employees and pursue additional remedies for noncompliance with a Congressional subpoena.

Also, the Committee has learned through other sources that the Department may have met with outside entities to discuss the E.O. See listed below nongovernmental groups that the Department may have met with:

- AFL-CIO, AFSCME
- The Advancement Project
- All Voting is Local
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- Brennan Center for Justice at NYU
- Business for America
- The Campaign Legal Center
- Common Cause
- Democracy Fund
- Demos
- End Citizens United/Let America Vote
- The Fair Elections Center
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- FairVote
- Headcount
- Healthy Democracy Healthy People
- Lawyers' Committee for Civil Rights
- The Leadership Conference on Civil and Human Rights
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- The Sentencing Project
- Southern Coalition for Social Justice
- States United Democracy Center
- The Southern Poverty Law Center
- UnidosUS
- Verified Voting
- Vot-ER
- YWCA USA

⁴ U.S. DEP'T. OF JUST.: U.S. MARSHALS SERV., United States Marshals Serv. FY 2022 Ann. Rept. 48 (2022), <https://www.usmarshals.gov/sites/default/files/media/document/PUB-2-2022-Annual-Report.pdf>.

Please provide a complete list of all the nongovernmental groups that your agency met with and any documents or communications between the Department and the nongovernmental groups that provided advice of any kind about the drafting of strategic plans, the implementation of those plans, or the selection of voter registration sites.

Per the “Schedule to Subpoena,” please fully comply with the subpoena by sending the strategic plan and all related documents, and documents pertaining to correspondence with outside organizations and state and local officials by August 2, 2024. Please contact T. March Bell, General Counsel of Committee on House Administration, at March.Bell@mail.house.gov, if you have any questions.

Sincerely,

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Bryan Steil
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