

Congress of the United States
Washington, DC 20515

November 4, 2024

Neera Tanden
Director
U.S. Domestic Policy Council
1650 Independence Avenue N.W.
Washington, D.C. 20504

As Chairmen of the House Committee on Small Business and the House Committee on Veterans' Affairs (the Committees), we write to express our concerns with the Small Business Administration's (SBA) and Department of Veterans' Affairs (VA) implementation of the Biden-Harris Administration's Executive Order 14019 *Promoting Access to Voting* (E.O. 14019).¹ Specifically, we are concerned by the SBA and VA's withholding of their strategic plans regarding the implementation of E.O. 14019 at both respective agencies. Particularly as both respective agencies continue to refuse to fully comply with the congressional subpoenas that have been issued by both Committees. These strategic plans are essential for Congress and the American people to understand why both agencies are engaging in get-out-the-vote efforts in Michigan, and what logic led both agencies, in coordination with the Domestic Policy Council, to pursue this skeptical voter registration strategy in one specific state.

The House Committee on Small Business first requested this document in its April 4, 2024, letter to the SBA, and was forced to subpoena the document on July 30, 2024.² Despite initially officially claiming that such a document did not exist, the Committee identified Freedom of Information Act (FOIA) litigation which showed the requested strategic plan did exist. After providing this information to the SBA, the SBA conceded the strategic plan's existence, and claimed their misstatement was largely attributable to the Agency labeling the submitted strategic plan as a "draft." Despite this revelation, the SBA has inexplicably refused to produce the strategic plans submitted to the White House to the Committee on Small Business.

The House Committee on Veterans' Affairs first requested VA's strategic plan on July 9, 2024, following VA's failure to respond to Committee staff's prior requests.³ When VA failed to respond, the Committee sent additional letters on July 22 and August 12, 2024, reiterating the previous request.⁴ Ultimately, VA failed to comply, forcing the Committee to authorize a subpoena to VA for the requested documents on September 12, 2024.⁵ To date, VA has failed to

¹ Exec. Order No. 14019, 86 Fed. Reg. 13623 (Mar. 10, 2021).

² Letter from Roger Williams, et al., Chairman, H. Comm. on Small Bus., to Isabella C. Guzman, Adm'r, U.S. Small Bus. Admin. (Apr. 4, 2024); Subpoena from H. Comm. On Small Bus., to Isabella C. Guzman, Adm'r, U.S. Small Bus. Admin. (Jul. 30, 2024).

³ Letter from Mike Bost, Chairman, H. Comm. on Veterans' Aff. to the Hon. Denis McDonough, Sec'y, U.S. Dep't. of Veterans Aff. (July 9, 2024).

⁴ Letter from Mike Bost, Chairman, H. Comm. on Veterans' Aff. to the Hon. Denis McDonough, Sec'y, U.S. Dep't. of Veterans Aff. (July 22, 2024); Letter from Mike Bost, Chairman, H. Comm. on Veterans' Aff. to the Hon. Denis McDonough, Sec'y, U.S. Dep't. of Veterans Aff. (Aug. 12, 2024).

⁵ Subpoena from H. Comm. on Veterans' Aff. to the Hon. Denis McDonough, Sec'y, U.S. Dep't. of Veterans Aff. (Sept. 12, 2024).

fully comply with the subpoena by not producing the department's strategic plan or explaining why they are unwilling or unable to do so.

These strategic plans are valuable for understanding both the SBA's and VA's intentions when entering their respective MOUs with the State of Michigan, would provide critical insight into these agencies' stewardship of taxpayer dollars to execute this get-out-the-vote initiative, and would clarify the legal basis for SBA and VA taking on newfound roles in voter registration efforts. Given that the strategic plans submitted by the SBA and VA under E.O. 14019 have since culminated in official agreements with the State of Michigan, it appears these plans are no longer merely deliberative. Further, since the strategic plans submitted under E.O. 14019 were only actionable by the respective agencies, these documents likely do not exist for the purposes of presidential decision-making, therefore they should be released to our respective Committees immediately. As such, we do not see a justification for the SBA and VA's unwillingness to produce forthright and complete document productions.

The Committees of jurisdiction have broad authority to investigate these issues under House Rule X. The SBA and VA's persistent delays continue to undermine our investigations into these efforts. Further, we must reiterate our serious concerns regarding the SBA and VA's failure to comply with legitimate oversight subpoenas. We therefore request copies of the strategic plans submitted by SBA and VA, respectively, to the Domestic Policy Council pursuant to E.O. 14019 § 3(b) as soon as possible, but no later than **November 18, 2024**.

Sincerely,



Roger Williams
Chairman
House Committee on Small Business



Mike Bost
Chairman
House Committee on Veterans' Affairs

cc: The Honorable Nydia M. Velasquez, Ranking Member
House Committee on Small Business;

The Honorable Mark Takano, Ranking Member
House Committee on Veterans' Affairs