

July 7, 2022

TO STATE GOVERNORS AND SECRETARIES OF STATE

SUBJECT: President Biden’s Executive Order 14019 and the Designation of Voter Registration Agencies

After failing to pass HR 1, the radical federal legislation to usurp state voting rights and laws, the Biden administration is now trying a backdoor approach that’s designed to ensure Democratic victories at the polls in 2022 and beyond.

On March 7, 2021, President Biden issued Executive Order 14019 (EO) directing all federal agencies to submit a written plan to the White House detailing what actions they can take to increase voter registration and turnout, especially among Democratic Party supporters. Multiple agencies have already responded with schemes to turn local federal facilities into voter registration agencies (VRAs).¹

The Biden administration wants to use federal government resources for political, get-out-the-vote purposes, and it’s up to strong leaders in state and local government to stop them.

Within two weeks of President Biden’s EO, the Department of Labor (DOL) boasted of a “first-of-its-kind action” to issue guidance to states to designate the 2,300 American Job Centers as VRAs under the National Voter Registration Act (NVRA) and to invite “non-partisan” organizations from a list approved by the White House to conduct “voter outreach” activities.² Despite rampant inflation and more than 11.4 million open jobs in the country³, DOL wants to turn hubs for job-seeking into hubs for voting for politicians who offer handouts—not jobs.

This can be prevented by directing state labor departments to disregard the Biden administration’s guidance and keep Job Centers politics-free.

Similarly, the U.S. Departments of Health and Human Services (DHHS) and Housing and Urban Development (HUD) have announced plans to turn community health centers and Public Housing Agencies (PHA) into VRAs.⁴⁻⁵ Until then, PHAs had publicly stated that they are legally prohibited from engaging in such voter registration activity.

¹ “Fact Sheet: Biden-Harris Administration Releases Report on Native American Voting Rights” 24 March 2022 <https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/24/fact-sheet-biden-harris-administration-releases-report-on-native-american-voting-rights/>

² “US DEPARTMENT OF LABOR ISSUES GUIDANCE TO STATES, TERRITORIES TO DESIGNATE AMERICAN JOB CENTERS AS VOTER REGISTRATION AGENCIES” 25 March 2022 <https://www.dol.gov/newsroom/releases/eta/eta20220325>

³ “Job Openings and Labor Turnover Summary” 1 June 22 <https://www.bls.gov/news.release/jolts.nr0.htm>

⁴ “Voter Registration and Health Centers” March 2022 <https://bphc.hrsa.gov/compliance/scope-project/voter-requirements>

⁵ “Voting Rights and Access for Residents at HUD-Assisted Properties” 09 February 22 <https://content.govdelivery.com/accounts/USHUDFHA/bulletins/308a7ef>

There are several points that are crucial about VRAs and the relationship between the state and federal government. We recommend taking the actions listed below to push back against President Biden's overreach.

- The NVRA provides *states* the authority to designate VRAs beyond those already required by federal law (e.g., registries of motor vehicles). The federal government cannot designate additional VRAs without a change to federal law enacted by Congress.
- When a federal agency sends "guidance" memorandums to state agencies about VRAs, it is recommended to contact those agencies and order them not to implement that guidance because it is illegal at worst and unethical and partisan at best.
- A state can issue a gubernatorial executive order or the legislature can pass a law or resolution prohibiting state agencies from applying to become VRAs.

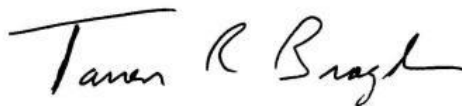
With increasing brazenness, President Biden is taking advantage of a loyal federal bureaucracy to wield the power and influence of the federal government to influence elections by increasing Democratic voter registration and turnout. It is particularly troubling given the recent lawsuits filed by the U.S. Department of Justice against conservative states to invalidate commonsense voting laws, even though those laws make it easy to vote and hard to cheat.

Those of us who value election integrity and a separation of government and political activity do not have to be mere spectators. We strongly urge those in positions of power to stop President Biden's power grab and act soon.

Sincerely,



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