

For God and Country

★ WASHINGTON OFFICE ★ 1608 "K" STREET, N.W. ★ WASHINGTON, D.C. 20006-2847 ★ (202) 861-2700 ★ FAX (202) 861-2728 ★

July 30, 2008

Honorable Dianne Feinstein, Chair Committee on Rules and Administration United States Senate Room 305 Dirksen Russell Office Building Washington, DC 20510-6325

एक प्राप्त के प्राप्त कर के प्राप्त कर के किए हैं है।

Dear Senator Feinstein:

On behalf of the 2.7 million members of The American Legion, I am writing in support of S. 3308, the Veteran Voting Support Act, which would require the Secretary of Veterans Affairs to permit a state to designate facilities of the Department of Veterans Affairs (VA) as voter registration agencies.

The American Legion has a long standing mandate that encourages all Americans to register and vote in all elections. Mindful that among the primary missions of VA is health care delivery, which should be vigilantly maintained, we believe it is not unreasonable for VA facilities to extend to veterans the opportunity to register to vote and by so doing encourage and facilitate their participation in the electoral process.

The American Legion, through its nonpartisan "Get Out the Vote" program would welcome the opportunity to provide to veterans who are in VA facilities the voter registration information and assistance as set out under Section 5 of the measure.

Veterans have dedicated themselves to protecting this country and the right of all citizens to vote. They deserve the commitment of local, state and Federal governments to provide them every opportunity to participate in the electoral process they defended.

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Sincerely,

Joseph E. Caouette, Chairman

National Americanism Commission

BRENNAN CENTER FOR JUSTICE

Brennan Center for Justice at New York University School of Law

161 Avenue of the Americas 12th Floor New York, New York 10013 212.998.6730 Fax 212.995.4550 www.brennancenter.org

July 24, 2008

Senator Dianne Feinstein, Chair Senator Bob Bennett, Ranking Member Committee on Rules and Administration United States Senate 305 Russell Building Washington, DC 20510

Re: Support for S. 3308, Veteran Voting Support Act

Dear Senators Feinstein and Bennett:

We write to offer our strong support for legislation introduced earlier this week by Senators Feinstein and Kerry. This important legislation, the "Veteran Voting Support Act," would eliminate barriers that make voting difficult for the men and women in uniform who have so bravely served our country. We urge the Committee to pass this bill immediately, so that it may be considered by Congress and signed by the President in time for the Fall elections.

The Veteran Voting Support Act breaks down barriers to voting by veterans and honors our commitment to protect the rights of those who have fought for us all. The Department of Veterans Affairs (VA) has refused to designate VA facilities as voter registration agencies, and this important bill will right that unfortunate, bureaucratic wrong.

The legislation would require the VA to make voter registration services available at VA facilities in states that request it, including providing voter registration forms and assisting veterans with submitting registrations. It would require the VA to help veterans request and cast absentee ballots, and would open VA facilities to non-partisan groups and election officials, so that they could provide veterans with information on registration and voting. All these services will go a long way to ensuring that veterans are able to exercise their most fundamental rights as citizens in our democracy: the right to vote.

In a year that has seen extraordinary levels of political participation — with unprecedented numbers of citizens demonstrating their desire to vote for the first time¹ — it is crucial to eliminate unnecessary barriers to registration. Only by doing so will it be possible to ensure that every eligible citizen who wants to vote can vote.

Ensuring access to registration and voting is especially important for the veterans served by the VA. We all owe a great debt of gratitude to those who have fought for our democracy, and risked their lives, around the globe. For them, voting must be made easier, not harder. They have done their duty and served their country with valor, and now it is time for our country to fulfill its duty to them and honor their service. By making sure they have ready access to the registration rolls and the ballot, this legislation will make sure that their voices are heard.

The bill would let the VA fulfill its promise — to serve "as a single, comprehensive provider of seamless service to the men and women who have served our nation" — and would uphold the VA's patients' rights rule, which expressly protects "the right to register and vote." We urge the Congress to take immediate action to pass this legislation. Our veterans deserve no less.

Very truly yours,

J. Adam Skaggs

Counsel, Democracy Program

Wendy Weiser

Deputy Director, Democracy Program

cc:

Senator Robert C. Byrd

Senator Ted Stevens

Senator Daniel K. Inouye

Senator Mitch McConnell

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Senator E. Benjamin Nelson

Senator Chuck Hagel

Senator Harry Reid Senator Lamar Alexander Senator Patty Murray Senator John Ensign Senator Mark L. Pryor

¹ See, e.g., Mike Baker, More than 3.5 Million New Voters, AP Survey Finds, Associated Press Online, May 6, 2008.

² See http://www.va.gov/about va/mission.asp.

³ 38 C.F.R. § 17.33(a)(4)(iv).



Secretary of State **DEBRA BOWEN**State of California

May 1, 2008

The Honorable James B. Peake United States Department of Veterans Affairs 810 Vermont Ave NW Washington, DC 20420

Dear Secretary Peake:

As California's chief elections official, I would like to request that the U.S. Department of Veterans Affairs (VA) designate itself as a "voter registration agency" for purposes of Section 7(a)(3)(B)(ii) of the National Voter Registration Act (NVRA) of 1993.

As you know, federal Executive Order No. 12926, 59 Fed. Reg. 47227 (Sept. 12, 1994) calls on federal agencies to agree, if requested by a state's top elections official, to be designated a "voter registration agency." The designation helps ensure that veterans who receive services from the agency's offices within the state have the opportunity to register to vote.

Offering the opportunity to register – or re-register – is particularly important for veterans who change their address as a result of accepting federal benefits, such as entering a VA nursing home, emergency housing, or rehabilitative care center.

My goal as Secretary of State is to provide voters with a simple and convenient registration process. The NVRA already requires state offices that provide public assistance or services to people with disabilities to offer people a chance to register to vote and assistance in completing the form. It makes sense for federal offices to offer the same opportunity.

Please feel free to contact me, or you may contact Jennie Bretschneider, Assistant Chief Deputy Secretary of State, at (916) 653-7244, if you have questions or need further information. Thank you for your consideration.

Sincerely,

Debra Bowen Secretary of State

DB:elg:lf/jb

Federal Register

Vol. 59, No. 177

Wednesday, September 14, 1994

Presidential Documents

Title 3—

The President

Executive Order 12926 of September 12, 1994

Implementation of the National Voter Registration Act of 1993

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and in order to ensure, as required by section 7(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg) ("the Act"), that departments, agencies, and other entities of the executive branch of the Federal Government cooperate with the States in carrying out the Act's requirements, it is hereby ordered as follows:

- **Section 1.** Assistance to States. To the greatest extent practicable, departments, agencies, and other entities of the executive branch of the Federal Government that provide, in whole or in part, funding, grants, or assistance for, or with respect to the administration of, any program of public assistance or services to persons with disabilities within the meaning of section 7(a) of the Act shall:
- (a) provide, to State agencies administering any such program, guidance for the implementation of the requirements of section 7 of the Act, including guidance for use and distribution of voter registration forms in connection with applications for service;
- (b) assist each such State agency administering any such program with the costs of implementation of the Act, consistent with legal authority and the availability of funds, and promptly indicate to each State agency the extent to which such assistance will be made available; and
- (c) designate an office or staff to be available to provide technical assistance to such State agencies.
- **Sec. 2.** Armed Forces Recruitment Offices. The Secretary of Defense is directed to work with the appropriate State elections authorities in each State to develop procedures for persons to apply to register to vote at Armed Forces recruitment offices as required by section 7(c) of the Act.
- **Sec. 3.** Acceptance of Designation. To the greatest extent practicable, departments, agencies, or other entities of the executive branch of the Federal Government, if requested to be designated as a voter registration agency pursuant to section 7(a)(3)(B)(ii) of the Act, shall:
- (a) agree to such a designation if agreement is consistent with the department's, agency's, or entity's legal authority and availability of funds; and

(b) ensure that all of its offices that are located in a particular State will have available to the public at least one of the national voter registration forms that are required under the Act to be available in that State.

William Telimon

THE WHITE HOUSE, September 12, 1994.

[FR Citation 59 FR 47227]



July 25, 2008

Senator Dianne Feinstein United States Senate 331 Hart Senate Office Building Washington DC 20510

Dear Senator Feinstein:

I am very pleased to congratulate you and your co-sponsors for S.3308 which will allow our veterans to have greater access to registration and voting through the facilities of the Department of Veterans Affairs throughout the country.

Okaloosa County is a veteran-rich and military-proud community—the home of Eglin AFB, Hurlburt Field, Duke Field, US Army Ranger Camp, US Navy EOD School, even a Coast Guard Station—and both the war fighters and all the maintenance and support people from these bases deploy constantly to combat areas in Southwest Asia and elsewhere. Unfortunately these young veterans do spend time in one or more of the VA facilities here along the Gulf Coast and elsewhere, along with the huge number of retired veterans who live here, and enfranchising outreach is a program we are anxious to implement to its fullest.

Too many of the younger veterans were not especially interested in voting when they entered the service, but now, through time and experience, many realize they need to assert their voices. We will prove to the local VA officials that our activities, and those of the nonpartisan groups that assist us, that we can accomplish this with no problem but with great benefit to the veterans and to the Department of Veterans Affairs.

Thank you again and best wishes for a speedy passage! I will express my support of this bill to my Congressional delegation.

Sincerely yours,

Patricia M. Hollarn Supervisor of Elections

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The Choice is Yours! www.govote-okaloosa.com

Email: phollarn@co.okaloosa.fl.us

July 24, 2008

The Honorable Dianne Feinstein, Chair Senate Committee on Rules and Administration 305 Russell Senate Office Building Washington, D.C. 20510-6325

Dear Senator Feinstein:

On behalf of the 1.3 million members of the Disabled American Veterans (DAV), I take this opportunity to express support for your bill, S. 3308, to require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs (VA) to be designated as voter registration agencies.

As you know, throughout the history of America, veterans have fought to defend our freedom. One of the most essential of those freedoms is the right to vote. But now the VA chooses to stand in the way of veterans exercising that same freedom by not allowing state agencies and nonpartisan groups to register veterans to vote at a VA facility.

The commitment of the DAV is solidified through the adoption of a long-standing resolution by our National Convention delegates encouraging disabled veterans to register to vote.

Once again, thank you for introducing this important legislation. I look forward to working with you and your staff to build better lives for America's disabled veterans.

Sincerely,

JOSEPH A. VIOLANTE National Legislative Director

JAV:lmb

Demos a network for ideas & action

July 24, 2008

Senator Dianne Feinstein United States Senate 331 Hart Senate Office Building Washington, DC 20510

Dear Senator Feinstein:

I write to express Dēmos' support for S. 3308, legislation that you introduced on July 22, 2008, with Senator John Kerry. The legislation would require the Secretary of Veterans Affairs (VA) to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies, in accordance with the National Voter Registration Act. With such designation, VA offices and facilities would be required to offer voter registration to individuals served there, as currently practiced at public assistance agencies and at offices that provide services to people with disabilities. It also requires the VA to accommodate voter registration assistance by nonpartisan organizations and elections officials.

Dēmos' work shows that the designation of public institutions as voter registration agencies can powerfully expand the franchise, when properly implemented. Over the past several years, we and our partners in the NVRA Implementation Project have worked with state authorities to reestablish and expand voter registration opportunities at public assistance agencies, as required by the NVRA. Registration applications received at those agencies has soared. Tens of thousands of individuals have been newly added to voter rolls in North Carolina, Iowa and elsewhere. We would expect the expansion of voter registration opportunities at VA offices and facilities to affect a similar increase in registration among veterans.

For reasons that are difficult to understand, the Department of Veterans Affairs has in recent months acted to restrict voter registration opportunities for veterans. Secretary Peake declined California Secretary of State Debra Bowen's request that the VA be designated as a voter registration agency in her state. The Veteran Health Administration has promulgated a new directive that unreasonably hinders nonpartisan voter registration efforts at VA facilities by groups like the League of Women Voters.

These recent actions do a disservice to the veterans of our armed services, who have been called upon to risk life and limb in the service of our nation. Surely, every effort should be made to assist them in the exercise of the most fundamental right and responsibility of citizenship. The Department of Veterans Affairs should readily accede to designation as a voter registration agency, as authorized under federal law, and welcome nonpartisan initiatives to register veterans at its facilities. S. 3308 would accomplish both.

Dēmos extends its strong support for this legislation.

Sincerely,

Miles S. Rapoport

President

Dēmos: A Network for Ideas & Action







September 11, 2008

Senator Dianne Feinstein, Chair Committee on Rules and Administration United States Senate 305 Russell Building Washington, DC 20510

Re: Support for S. 3308, the "Veterans Voting Support Act"

Dear Senator Feinstein:

We write to thank you for your leadership and continuing commitment to protecting veterans' voting rights. In large part because of your leadership on this issue, the Department of Veterans Affairs ("VA") recently issued a directive that modified its misguided policy barring voter registration activity in VA facilities. This is an important step in the right direction, but we are concerned that the VA's new directive is only a partial fix — not a complete one. Accordingly, we urge you to continue your efforts in support of S. 3308, the Veterans Voting Support Act. Passage of this important legislation will address many of the problems that remain unresolved under the VA's directive, and will ensure that the veterans who have fought in defense of the right to vote will not be hindered in their attempts to exercise that right.

We are concerned that the VA's recent directive will not be sufficient to protect the voting rights of the men and women served by the VA. Among our concerns are the following:

First, the directive imposes no affirmative obligation on VA facilities and agencies to register veterans, as would S. 3308, which would permit states to designate VA facilities as voter registration agencies under section 7 of the National Voter Registration Act of 1993, 42 U.S.C. 1973gg-5 (the "NVRA"). Such a designation is important to ensure that all veterans served by VA facilities have sufficient access to voter registration materials. Indeed, although the NVRA requires that states designate state-funded facilities serving disabled citizens and citizens seeking other government benefits as voter registration agencies, the VA's directive stops short of

¹ The directive requires only that each VA facility must adopt "a written published policy on voter assistance" and that information on registering and voting must be posted throughout VA facilities; it does not obligate VA facilities to actively register voters. Thus, the directive provides for a lower level of service than that provided at voter registration agencies under the NVRA.

permitting VA facilities to be so designated. It is impossible to justify making it harder for disabled veterans to register than it is for disabled citizens in analogous state-funded facilities, but this appears to be the inevitable result of the VA's directive.

Second, the VA's directive appears to make voter registration services available only to patients residing in VA facilities, and not to veterans availing themselves of VA services on an outpatient basis or otherwise obtaining services from the VA. Thus, the directive states that the VA policy is "to assist residents of our community living centers, domiciliaries, and patients with limited access to other voter registration and information resources." This differential treatment cannot be justified, and outpatients served by VA facilities should be permitted to avail themselves of voter registration services on the same basis as in-patients.

Third, under the VA's directive it is unclear whether and to what extent outside groups will actually be permitted to conduct voter registration activities. The directive provides that "[a]ny request by an outside organization to facilitate voter registration on VA property is [to be] forwarded to local Regional Counsel for review," and although the directive calls on facility directors to establish "[c]riteria for evaluating the time, place, and manner of voter registration and voter assistance activities," the absence of any substantive guidelines for evaluating requests creates a risk that the directive's apparent purpose — opening VA facilities to state and local election officials and non-partisan voter registration groups — may be severely undermined by the requirement that the efforts of these groups must be "coordinated with the facility."

Finally, we are concerned that the VA's directive will not guarantee prompt services sufficient to guarantee veterans are able to register and vote this November. The directive imposes no proactive duties on the VA; rather, it only suggests the VA will not unduly interfere with others' efforts to register veterans. And because the directive evidently vests each facility director with discretion (a) to determine whether groups attempting to register veterans are appropriately "non-partisan"; and (b) to dictate the time, place and manner of voter registration activities, the directive does not go sufficiently far to ensure that veterans will receive any meaningful assistance in this election cycle.

For all the foregoing reasons, we continue to urge the prompt passage of S. 3308. We also urge you to conduct immediate hearings on the VA's new policy, so that representatives of the VA may give on-the-record testimony regarding the concerns we have raised.

Many thanks again for your leadership on this important issue.

Sincerely,

The American Association for People with Disabilities Brennan Center for Justice at NYU School of Law Common Cause Demos: A Network for Ideas & Action The League of Women Voters



VIP-Dan Howard

STATE OF MINNESOTA

Office of the Minnesota Secretary of State

Mark Ritchie

August 6, 2008

The Honorable Dianne Feinstein United States Senate 331 Hart Senate Office Building Washington, DC 20510

Dear Senator Feinstein:

I am writing to express my strong support for S. 3308, the Veteran Voting Support Act. It is vitally important that those who defend democracy abroad are able to fully participate in our democracy at home. The Department of Veterans Affairs has thus far been unresponsive to requests that the agency reverse its directive prohibiting nonpartisan groups from assisting veterans in registering to vote. Therefore, I support this legislation's requirements that the Department of Veterans Affairs make voter registration services available at their facilities, allow nonpartisan groups and election officials to provide voter information and registration services to veterans, and issue an annual report to congress related to these issues.

Thank you for your attention to this matter and for your ongoing support of the voting rights of veterans.

Sincerely,

Mel dele

MARK RITCHIE Secretary of State



July 21, 2008

The Honorable Dianne Feinstein, Chairman Senate Rules and Administration Committee 305 Russell Senate Office Building Washington, DC 20510

Dear Chairman Feinstein,

On behalf of the Paralyzed Veterans of America (PVA) I want to thank you for introducing the "Veteran Voting Support Act of 2008." This legislation will require the Secretary of the Department of Veterans Affairs (VA) to permit a State to designate facilities of the VA located in such State as voter registration agencies under section 7 of the National Voter Registration Act of 1993 (NVRA). In addition to the duties under Section 7 of NVRA, VA designated facilities shall provide information and assistance in requesting an absentee ballot and working with local election officials to ensure delivery.

As you know, on May 25, 2008, the VA issued directive VHA 2008-025. This directive further defines what VA personnel can and can not do to assist veterans who reside in VA facilities when it comes to registering and voting. Policy requires the veteran to request assistance in voting to initiate action from personnel. "It is VHA policy to assist patients who seek to exercise their right to register and vote; however, due to Hatch Act (Title 5 United States Code (U.S.C.) sec. 7321-7326) requirements and to avoid disruptions to facility operations, voter registration drives are not permitted."

Whereas this policy directive is a good first step, PVA believes that your legislation will further help veterans exercise their franchise. Specifically, sec. 5 allows non partisan organizations to provide voter registration and assistance at VA facilities and sec. 6 allows election administration officials, whether State or local, party affiliated or non party affiliated, elected or appointed, to provide voting information to veterans at any VA facility.

The right to register and vote is one of the explicit rights set forth in the VA patients' rights regulation at Title 38 Code of Federal Regulations (CFR) § 17.33. In order for the veteran to make an informed decision, it is imperative that they have up to date information about absentee balloting, registration, and polling location prior to casting a ballot.

The Honorable Dianne Feinstein, Chairman Page Two July 21, 2008

Again thank you for your leadership on this important issue to ensure all veterans who are using the VA facilities have voter access.

Sincerely,

Douglas K. Vollmer

Associate Executive Director

for Government Relations



VETS HELPING VETS SINCE 1974

August 12, 2008

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MARK SOLIT

POWNSEND WALKER

United States Senator
331 Senate Hart Building
Washington, DC 20510

Dear Senator Feinstein:

The Honorable Diane Feinstein

Swords to Plowshares strongly supports your new legislation to restore veteran voting rights, S 3308, "The Veteran Voting Support Act." This legislation is critical since current Department of Veterans Affair's policy, as defined in VHA Directive 2008-025, blocks nonpartisan groups from holding voter registration drives at VA facilities. Regrettably, VA has rejected rational solutions to ensure veterans have access to voter registration and voter assistance. Thus, "The Veteran Voting Support Act" is urgently needed in order to reverse this blatant affront to the men and women who have worn the uniform in defense of democracy.

We hope this Bill is passed and signed in an expeditious manner as the deadlines for voter registration is near and because there are less than 100 days before the November 4 elections. We join other veterans groups in the simple request to: Let our veterans vote. The roadblocks that exist for those who have fought for such a fundamental pillar of democracy, the patriotic act of voting, are unconscionable. Our veterans at VA facilities who have worn the uniform in defense of such rights deserve better, and we are proud to support you effort to preserve the voting rights of veterans.

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Sincerely,

Michael Blecker

Executive Director



Urban Justice Center

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Executive Director

Fund for Social Change

Executive Director

Douglas Lasdon, Esq.

July 30, 2008

Senator Dianne Feinstein, Chair Senator Bob Bennett, Ranking Member Committee on Rules and Administration United States Senate 305 Russell Building Washington, DC 20510

Re:

Support for Veterans Voting Support Act

Dear Senators Feinstein and Bennett:

I write to offer my enthusiastic endorsement of the Veterans Voting Support Act. At a moment of unprecedented voter participation, it is especially vital for veterans to be able to lend their voices to this larger chorus of civic expression. By ensuring that disabled and hospitalized veterans access voter registration services at VA facilities, this legislation would afford them the same democratic opportunities for which they fought so bravely overseas.

As voter registration deadlines approach throughout the country, the time is particularly ripe for dismantling the barriers that have traditionally prevented our most vulnerable veterans from reaching the polls. For many wounded, hospitalized, and homeless veterans, the absence of registration services at VA facilities poses a daunting obstacle to ballot access, impeding their ability to engage fully in civic life.

Entrusted with a mandate to ensure that veterans receive the care and support necessary to ease their return to civilian society, the VA must no longer deprive those it serves of their most fundamental right as citizens. By failing to offer on-site voter registration and absentee ballot assistance, the agency inevitably undermines its mission to "[promote] the health, welfare, and dignity of all veterans in recognition of their service to this Nation."

The Veterans Voting Support Act promises to remedy a policy that has imposed an unjust burden on those who have sacrificed the most for their country. I urge you on their behalf to secure swift passage of this critical legislation.

Sincerely,

Rachel Natelson

Coordinator, Veterans and Servicemembers Project

VETERANS OF FOREIGN WARS OF THE UNITED STATES

July 25, 2008

The Honorable Dianne Feinstein United States Senate 331 Hart Senate Office Building Washington, DC 20510

Dear Senator Feinstein:

On behalf of the 2.3 million members of the Veterans of Foreign Wars and our Auxiliaries, I would like to offer our support for your bill to require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies.

This important legislation will ensure that our veterans are given the opportunity to register and vote. Veterans have dedicated their lives to protecting our country and deserve every commitment from the government to offer them the opportunity to participate in the political process.

Senator Feinstein, this legislation is a great way to honor and give back to those who have sacrificed so much for our Nation. Thank you for concentrating on the changes that can make all the difference in veterans' lives. The VFW commends you, and we look forward to working with you and your staff to ensure the passage of this important legislation.

Thank you for your continued support for America's veterans.

Sincerely,

DENNIS CULLINAN, Director National Legislative Service



July 25, 2008

Senator Dianne Feinstein United States Senate 331 Hart Senate Office Building Washington DC 20510

Dear Senator Feinstein:

I am very pleased to congratulate you and your co-sponsors for S.3308 which will allow our veterans to have greater access to registration and voting through the facilities of the Department of Veterans Affairs throughout the country.

Okaloosa County is a veteran-rich and military-proud community—the home of Eglin AFB, Hurlburt Field, Duke Field, US Army Ranger Camp, US Navy EOD School, even a Coast Guard Station—and both the war fighters and all the maintenance and support people from these bases deploy constantly to combat areas in Southwest Asia and elsewhere. Unfortunately these young veterans do spend time in one or more of the VA facilities here along the Gulf Coast and elsewhere, along with the huge number of retired veterans who live here, and enfranchising outreach is a program we are anxious to implement to its fullest.

Too many of the younger veterans were not especially interested in voting when they entered the service, but now, through time and experience, many realize they need to assert their voices. We will prove to the local VA officials that our activities, and those of the nonpartisan groups that assist us, that we can accomplish this with no problem but with great benefit to the veterans and to the Department of Veterans Affairs.

Thank you again and best wishes for a speedy passage! I will express my support of this bill to my Congressional delegation.

Sincerely yours,

Patricia M. Hollarn Supervisor of Elections

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Email: phollarn@co.okaloosa.fl.us