

United States Senate

WASHINGTON, DC 20510

June 26, 2023

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

Dear Secretary Becerra,

We wrote to you approximately one year ago¹ to request an update on the Department of Health and Human Services' (HHS) commitments to promote voting access—including through HealthCare.gov—that were prompted by President Biden's Executive Order 14019. It has been over two years since President Biden issued the "*Promoting Access to Voting*" Executive Order (Voting EO); yet, we continue to await a formal response from HHS that includes a substantive update on all the commitments the agency has made to support efforts that help Americans access the ballot box.²

As a reminder, the order required federal agencies to consider ways they could expand access to voter registration and election information; increase opportunities for federal employees to vote; guarantee equal access to voters with disabilities, active duty military voters, and overseas voters; and ensure voter registration access to eligible individuals in federal custody. In response to this directive, the Centers for Medicare & Medicaid Services (CMS), which is part of HHS, pledged to "make it easier for consumers using HealthCare.gov to connect to voter registration services and receive assistance."³ The Department also committed to "launch a new voting access hub to connect older adults and people with disabilities to information, tools and resources to help them understand and exercise their right to vote,"⁴ offer voter registration assistance to patients within the Indian Health Service, and made a budget request to improve access to our electoral system for voters with disabilities.

While we acknowledge some progress HHS has made in fulfilling its promises under the Voting EO, we are concerned that other commitments—particularly the one involving HealthCare.gov—are not being sufficiently prioritized. In our June 2022 letter, we emphasized the importance of expeditiously and robustly implementing changes to HealthCare.gov to facilitate access to voter

¹ Letter from Senator Warren, et al., Letter to Secretary Becerra, June 29, 2022, <https://www.warren.senate.gov/imo/media/doc/2022.06.29%20Letter%20to%20HHS%20re%20Voting%20EO.pdf>.

² Exec. Order No. 14019, 86 Fed. Reg. 13623 (March 7, 2021).

³ The White House, "FACT SHEET: The Biden-Harris Administration is Taking Action to Restore and Strengthen American Democracy," December 8, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/08/fact-sheet-the-biden-harris-administration-is-taking-action-to-restore-and-strengthen-american-democracy/>.

⁴ The White House, "FACT SHEET: Biden Administration Promotes Voter Participation with New Agency Steps," September 28, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/09/28/fact-sheet-biden-administration-promotes-voter-participation-with-new-agency-steps/>.

registration services for millions of Americans including people of color and those in low-income communities who face greater barriers to voting.⁵ In the twelve intervening months since we wrote to you, we have neither received a response to our letter nor has your staff provided a substantive update on the status of the aforementioned commitments. As the next presidential election nears, it is critical that HHS facilitate greater access to voter registration services, in an effective manner, through HealthCare.gov, to ensure every American has the opportunity to engage in our democratic process.

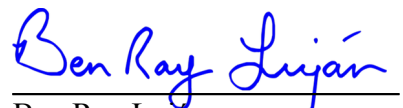
We once again request a response from you no later than July 10th, with (1) a complete list of the commitments the agency has made in response to the Voting EO, (2) an accompanying status update on their execution and/or implementation, and (3) a detailed report on HHS's progress regarding the implementation of voter registration access through HealthCare.gov.

We look forward to receiving a timely and substantive update on this matter.

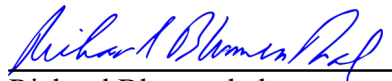
Sincerely,



Elizabeth Warren
United States Senator



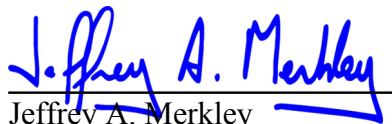
Ben Ray Lujan
United States Senator



Richard Blumenthal
United States Senator



Mazie K. Hirono
United States Senator

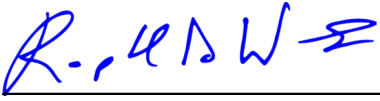


Jeffrey A. Merkley
United States Senator



Sheldon Whitehouse
United States Senator

⁵ Letter from Senator Warren, et al., Letter to Secretary Becerra, June 29, 2022, <https://www.warren.senate.gov/imo/media/doc/2022.06.29%20Letter%20to%20HHS%20re%20Voting%20EO.pdf>.



Raphael Warnock
United States Senator

CC:
Chiquita Brooks-LaSure, Administrator – Centers for Medicare and Medicaid Services