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MATT REEL
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July 13, 2026

The Honorable Russell Vought
Director
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

RE: Proposed Rule - Regulation for Federal Financial Assistance [OPM-2026-10817]

Dear Director Vought:

We write today to comment on the proposed rule published on May 29, 2026, that proposes to significantly revise 2 C.F.R. Part 200. As proposed, this rule could upend research standards, damage research staffing and recruitment at the Department of Veterans Affairs (VA), and erode the federal government's longstanding commitment to veterans. The changes would allow political appointees, rather than nonpartisan experts, to review federal grants, which could impact VA's ability to invest and participate in long-term clinical trial research. It would also restrict funding for grantees who engage in diversity, equity, and inclusion (DEI), "gender ideology," and disparate-impact analysis, potentially limiting opportunities for research on specific veteran populations and partnerships with academic institutions.¹ The effects of these changes will be felt across VA's research ecosystem and throughout the veteran community, and the degradation of veteran trust may be irreversible. As members of the House Committee on Veterans' Affairs, we strongly oppose this proposed rule and demand that it be withdrawn.

These changes would inject instability into veteran-serving research and programs, undermine evidence-based care, and place critical housing and health services at risk, contrary to congressional intent and the Administrative Procedure Act (APA). Rather than strengthening existing oversight mechanisms, the proposed changes would create uncertainty that would impair the uniformity and predictability the Uniform Guidance is intended to ensure. These proposals would hand over the entire apparatus of American scientific progress to partisan political appointees and will almost certainly result in American science lagging behind the international community and an utter failure to deliver critical results to our veterans. Below, we elaborate on our specific concerns with the proposed rule.

¹ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32215 (May 29, 2026) (to be codified at 2 C.F.R. § 200.205).

The Proposed Rule Allows Political Appointees to Review and Terminate Grants, Which Will Destabilize Vital Veterans' Programs and Research, Weaken Scientific Independence, and Damage Veteran Trust in VA's Research.

The proposal mandates “pre-issuance” review of every discretionary grant by senior appointees and reduces peer review to advisory input, requiring awards to “demonstrably advance the President’s policy priorities.”² This would represent a significant departure from longstanding federal grant-making norms that prioritize expert, merit-based evaluation. It also adds broad termination-for-convenience authority, allowing agencies to end awards mid-stream with vague or ineffectual guardrails.”³ Such discretion, without objective standards or clear limitations against political interference, raises serious APA concerns and undermines the reliability and certainty of the federal research ecosystem that interested parties have developed after decades of stable federal practice.

Organizations offering VA-funded services, including community-based homeless programs, clinical providers, and research institutions and academic affiliates, depend on predictable terms to ensure adequate staffing, maintain leases and safety protocols, and keep treatment and research initiatives on track. Discretionary terminations would force midcycle cancellations, stranding longitudinal trials on toxic exposure, PTSD, and suicide prevention; disrupting care for veterans in housing and treatment programs;⁴ and wasting taxpayer dollars. The inevitable disruption to multi-year study design, patient enrollment, data integrity, and budget planning would hinder Congress’s intent to support evidence-based improvements to veteran care.

Additionally, the proposed rule diminishes VA’s capacity to plan for multi-year longitudinal studies that historically have resulted in data that can be used to inform and improve veteran care, and large sample size clinical trials that result in the most robust outcomes for new treatments. VA will be less likely to justify the risk of these long-term research enterprises with taxpayer investment if there is a chance that political whims can result in the termination of the studies without limitations. Additionally, clinical trial recruitment will be impacted if there is a chance that an accusation of recruiting based on “DEI” or “disparate-impact data” can end a clinical trial before it ever begins. Finally, veterans may be discouraged from participating in trials if the treatment that they come to rely on as part of their treatment can be ripped away from them at any moment because a partisan political appointee determines it is no longer viable or politically convenient to pursue.

The Proposed Rule’s Ban on DEI and Gender Terminology Threatens Targeted Resources and Research for Vulnerable Veteran Populations.

The rule would restrict the use of federal grants for so-called DEI and “gender ideology” and remove sexual orientation/gender identity non-discrimination language, with undefined and

² Regulation for Federal Financial Assistance, 91 Fed. Reg. 32249.

³ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32211.

⁴ 38 C.F.R. 61.40(a) (2026).

sweeping terms that vary with executive interpretation.⁵ The proposal would embed such prohibitions into award terms and pre-issuance review, inviting inconsistent enforcement and chilling lawful, evidence-based programming. Because these terms lack regulatory definitions tied to statutory standards, agency staff and grantees would be left without meaningful guidance on compliance expectations. Such arbitrary standards would wreak havoc on programs using long standing, proven methodologies to effectuate the care our veterans need.

The definition of “gender ideology” in Executive Order 14168,⁶ framed as denial of “the biological reality of sex,” is inherently malleable and, under the proposal, could be imported into grant administration, allowing fluctuating executive definitions to alter compliance obligations without clear regulatory guardrails. Such ambiguity prevents grantees from planning program structures, drafting proposals, or evaluating risk, and would impede judicial review because regulated parties lack a clear standard to follow. That vagueness frustrates program planning and risks arbitrary outcomes.

For instance, VA’s Grant and Per Diem (GPD) regulations expressly authorize special need grants for women, the frail elderly, the terminally ill, the chronically mentally ill, and veterans caring for minor dependents, including program designs that ensure safety, privacy, and where appropriate, segregation to protect participants.⁷ Over the last 10 years, homelessness among women veterans has risen. Reporting from the Department of Housing and Urban Development (HUD) and VA shows homelessness among women veterans rose approximately 24 percent from 2020–2023 (3,126 to 3,329), with a slight decline in 2024 that still leaves levels above 2020 rates.⁸ Weakening the ability to use precise descriptive terminology or construing women-specific services as prohibited “DEI” would directly jeopardize critical beds and services. These services are not preferential treatment; they reflect Congress’s explicit authorization and legislative response to well-documented, clinically validated needs among veterans experiencing homelessness.

As another example, the proposed rule’s vague reference to “gender ideology” that is defined only in reference to an executive order and not to any reference in statute⁹ could impact VA’s ability to participate in extramural research related to women veterans. Women are the fastest-growing segment of the veteran population.¹⁰ Documented risk factors affecting female veterans, including trauma, military sexual trauma (MST), and reproductive health, underscore the need for targeted service environments and terms, not bans on descriptive language. Preventing VA research and grant programs from specifying populations on which to focus

⁵ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32213.

⁶ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32215; Exec. Order No. 14168, 90 F.R. 8615 (January 20, 2025).

⁷ 38 CFR § 61.40(a) (1-5) (2026).

⁸ U.S. Department of Veterans Affairs. “Homelessness Among Female Veterans in 2024.” *VA.gov*, 23 Mar. 2025, news.va.gov/138959/homelessness-among-female-veterans-in-2024.

⁹ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32215; Exec. Order No. 14168, 90 F.R. 8615 (January 20, 2025).

¹⁰ U.S. Department of Veterans Affairs. “Women Veterans in Focus.” *Facts and Statistics*, *VA.gov*, 23 Sep. 2025, <https://www.womenshealth.va.gov/WOMENSHEALTH/docs/Women-Veterans-in-Focus-2025-Informational-Flyer.pdf>.

would directly conflict with Congress’s mandate that VA ensure appropriate environments of care for women veterans as outlined in Section 5101 of the Deborah Sampson Act.¹¹

Let us be clear: funding services tailored toward specific groups of veterans is not a publicity stunt or ideological signaling. These services exist to address known comorbidities and correlations that have been scientifically validated to accompany specific identity groups by peer-reviewed studies. Barring the utterance of words that signify an identity group is to turn a blind eye to reality in the service of a purely rhetorical political game. We cannot accept regulations that treat veterans like pawns in these games. A prohibition on using accurate descriptors would prevent grantees from articulating program purposes or documenting outcomes, undermining both accountability and effectiveness. The real lives of veterans who served our country are at stake, and it is our duty to prevent harm to them.

Further, OMB’s reliance on *Students for Fair Admissions v. Harvard* to justify these proposals is misplaced.¹² That decision only addressed higher-education admissions practices under the Equal Protection Clause and Title VI; it did not authorize executive agencies to categorically prohibit research, data collection, or program design that uses descriptive, non-preferential identifiers to target services, nor did it speak to viewpoint restrictions in federal grants.¹³ Extending that ruling to justify such categorical restrictions is a substantial and unsupported legal leap inconsistent with Congress’s intent for federal grant programs.

The Proposed Rule Eliminates Disparate-Impact Data That is Critical for Veterans’ Programming and Research

The proposed rule would “eliminate the use of disparate-impact liability in all contexts relevant to federal awards” and bar federal funds from supporting disparate-impact studies or related activities.¹⁴ Disparate-impact liability is a cornerstone of American legal analysis which allows lawmakers to consider real, concrete effects of policies on different populations.¹⁵ Its use in program evaluation does not impose legal liability on grantees; it ensures that programs operate effectively and equitably. Rejecting its application would degrade agencies’ ability to detect gaps in access or effectiveness across veteran populations and impair continuous improvement. Analysis from national nonprofit and law-firm observers flags substantial harms to equity-neutral program diagnostics and quality assurance.¹⁶

A clear example of the need to study disparate-impact is the fact that minority veterans experience homelessness at disproportionately higher rates than other veterans.¹⁷ Black veterans account for nearly 30 percent of the veterans experiencing homelessness even though Black

¹¹ 38 U.S.C. § 7310 (2026).

¹² *Students for Fair Admissions v. President & Fellows of Harv. Coll.*, 600 U.S. 181 (2023).

¹³ *Id.*

¹⁴ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32213.

¹⁵ U.S. Library of Congress, Congressional Research Service. *What Is Disparate-Impact Discrimination?* CRS Report IF13057. July 9, 2025.

¹⁶ See, e.g., Stout, Elizabeth. *Veterans Research at Risk: Veterans and Military Leaders Express Concerns on Proposed Federal Research Rule*, National Association of Veterans’ Research and Education Foundations (29 June, 2026), <https://navref.org/Advocacy/13647941>.

veterans make up only 15 percent of the living veteran population in the United States.¹⁸ The congressionally authorized grant program Supportive Services for Veteran Families (SSVF) delivers prevention and rapid re-housing resources for veterans who are at-risk of homelessness.¹⁹ VA administered \$797.5 million in SSVF grants in 2024 and continues to scale awards to meet demand. The reports from recent years document high service demand volumes and outcomes that have prevented hundreds of thousands of veterans from experiencing literal homelessness.²⁰ Understanding the risk factors that cause housing insecurity for certain populations of veterans is essential to our work to prevent and end veteran homelessness. Restrictions on disparate-impact data would impede SSVF grantees' ability to identify these root causes, fill service gaps, and tailor interventions, especially for minority veterans and veterans with serious mental illness. Eliminating disparate-impact considerations would obstruct VA's ability to develop evidence-based interventions quality-assurance tools it needs to prevent and end homelessness for *all* veterans.

The impacts of this limitation will also be felt in research that focuses on diseases and conditions with disparate impacts on different populations. For example, it could limit researchers participating in VA's extramural research from studying diseases like sickle cell anemia, which disproportionately affects Black veterans, or cardiovascular disease which historically disproportionately impacts minority veterans. Because of the undefined nature of the term, it may even limit VA's ability to conduct research on veteran-specific health outcomes and challenges.

This provision risks limiting the very flagship programs in which VA has invested significant resources, and which represent the kinds of advancements that will revolutionize veteran healthcare.²¹ As a leader in pharmacogenomics and precision health, VA research has invested in the Million Veteran Program as "one of the most genetically diverse health-related databases in enrollment, with African Americans at 20% and Hispanics at 8%" to drive discoveries that specifically account for diseases that disproportionately affect racial and ethnic minorities.²² Limiting the use of disparate-impact data could destroy VA's ability to use this genetic information database, to which veterans have contributed with the understanding that it will be used to advance treatment and healthcare options not only for veterans, but for all Americans.

¹⁷ U.S. Department of Housing and Urban Development. "The 2025 Annual Homelessness Assessment Report (AHAR) to Congress," May 2026, <https://www.huduser.gov/portal/sites/default/files/pdf/2025-AHAR-Part-1.pdf>.

¹⁸ Georgetown University Medical Center. "Veterans Data Briefing #3," Feb. 2025, <https://repository.digital.georgetown.edu/downloads/4f2a4035-b27c-4078-b6c1-095bc9d2adb4>.

¹⁹ 38 U.S.C. § 2044 (2026).

²⁰ U.S. Department of Veterans Affairs. "VA Awards Over \$800 Million in Grants to Help Homeless and At-risk Veterans and Their Families." *VA.gov*, 16 Aug. 2024, news.va.gov/press-room/va-awards-over-800-million-in-grants-to-help-homeless-and-at-risk-veterans-and-their-families.

²¹ U.S. Department of Veterans Affairs. "Timeline of Accomplishments." *VA.gov*, 27 Mar. 2025, www.research.va.gov/about/history.cfm.

²² Richman, Mike. "VA Program Using Special DNA Chip to Expand Genetic Research on Minorities." *VA.gov*, 26 April 2021, <https://www.research.va.gov/currents/0421-VA-program-using-special-DNA-chip-to-expand-genetic-research-on-minorities.cfm>.

The Proposed Rule Will Damage Researcher Staffing and Recruitment and Limit Researcher Collaboration

This proposed rule must be considered in the context of current challenges facing the United States' research infrastructure. VA's research infrastructure and workforce are still facing unprecedented disruptions following VA's decision in 2025 to fire or refuse to renew the contracts of researchers. Although it was later reversed, many researchers declined to return to VA following their firing, and an unknown number may decline to consider working at VA at all.²³ This rule would make it even more difficult for VA to recruit world-class scientists.

This rule proposes to make it much more difficult for researchers to participate in the professional development and collaboration practices necessary for a successful research career. It would significantly limit the use of funds for career-development and collaboration purposes, including conference attendance, professional organization memberships, and subscriptions to scientific and academic journals.²⁴ This not only violates long-standing practice for using funds in these ways but also serves to significantly curtail the federal government's participation in facilitating scientific collaboration and developing the next generation of researchers.

Additionally, the rule would prohibit the use of federal funds for publication costs, including "open access fees for professional journal publications and other peer-reviewed publications."²⁵ This provision can only be interpreted as another attack on the peer-reviewed nature of the scientific process and as an attempt to make it more difficult to publish and share critical research developments. This rule would represent the federal government choosing to abdicate its responsibility to facilitate and encourage such information sharing among researchers and the American public.

Finally, the proposed rule seeks to control how researchers can discuss their own work by banning 'issue advocacy.'²⁶ This ban is so vaguely defined that it could be weaponized by this and future administrations to suppress experts from discussing their work on any topic that could be perceived as controversial, or from offering any insight into potential public policy solutions.²⁷ VA has already unsuccessfully attempted to take similar actions to exert political control over its own researchers when they publish perspectives based on their work that is perceived as critical of the administration.²⁸ This proposed rule would establish as a matter of policy that VA political appointees can gag researchers and experts for having a difference of opinion with the current administration.

²³ Nieberg, Patty. "As the VA celebrates 100 years of medical research, the very people doing that job are being fired." *Task and Purpose*, 24 Feb. 2025, <https://taskandpurpose.com/military-life/va-researcher-cuts/>.

²⁴ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32231.

²⁵ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32263.

²⁶ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32231.

²⁷ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32262.

²⁸ Glantz, Aaron. "Exclusive: US veterans agency orders scientists not to publish in journals without clearance." *The Guardian*, 1 Jun 2025, <https://www.theguardian.com/us-news/2025/jun/01/us-veterans-affairs-agency-doctors-scientists-research>.

These provisions would create a clear chilling effect on VA's researcher recruitment and retention efforts. VA has long been a place where individuals who want to conduct research while contributing to the overall healthcare and needs of the veteran population can pursue both goals.²⁹ However, the proposed rule would mean that VA researchers pursuing federal grants, especially early-career and developing researchers, could not partake in the full spectrum of career development and scientific collaboration necessary to enable VA to remain a robust research institution. Additionally, researchers with subject-matter expertise, interest in veteran data, or veteran experience themselves, who may otherwise have been enticed to work at VA, may think twice about a public service career given the severe limitations on their research that they may not encounter elsewhere.

The Proposed Rule Fundamentally Misunderstands the Research Process and Fails to Account for VA's Unique Research Infrastructure

Taken together, the proposed rule fundamentally misunderstands the research process. Research cannot be undertaken with preconceived notions of outcomes or with artificial political limitations to the pursuit of science wherever it leads. Further, this proposed rule replaces rigorous peer review by an expert in the field with the judgement of an inexperienced political appointee and relegates the peer review process to merely an advisory role.³⁰ This change is fundamentally incompatible with scientific independence and will leave the U.S. out of step with its peers and falling behind the international standard.³¹

Worse, the proposed rule is drafted in such an ambiguous way that it is unclear what impact it will have on VA's existing research infrastructure. In particular, VA's extramural research funding structure, which allows VA to receive funding for research programs from other federal agencies or academic institutions, could be compromised or even become unworkable under the proposed rule.³² VA relies on a network of academic affiliates and nonprofit corporations to administer extramural funding. The non-VA entity applies for and administers the funds, but VA retains oversight of the project and the investigators that conduct the research.³³

As drafted, the DEI restrictions noted above are mandatory grant conditions that are prohibited across the whole enterprise of the applicant's organization.³⁴ This could mean that an academic affiliate that conducts "DEI-related" research or even has DEI policies or programs that conflict with the vague definitions set forth in this rule may be ineligible to apply for such

²⁹ U.S. Department of Veterans Affairs. "Timeline of Accomplishments." *VA.gov*, 27 Mar. 2025, www.research.va.gov/about/history.cfm.

³⁰ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32212.

³¹ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32247.

³² Regulation for Federal Financial Assistance, 91 Fed. Reg. 32204.

³³ U.S. Government Accountability Office. "Opportunities Exist to Strengthen Partnerships and Guide Decision-Making with Nonprofits and Academic Affiliates." *GAO-20-570*. 29 Jul. 2020.

³⁴ Ginexi, Elizabeth. "Summary of Key Changes in OMB's Proposed Federal Financial Assistance Rule." Elizabeth Ginexi, 29 May 2026, elizabethginexi.substack.com/p/summary-of-key-changes-in-ombs-proposed; Regulation for Federal Financial Assistance, 91 Fed. Reg. 32253.

research grants, even if the federal funding is not used to directly support such DEI programs.³⁵ This could severely limit academic affiliates' ability to facilitate or participate in VA-funded research and fundamentally disrupt a world-class model of academic and federal research partnership.³⁶

The Proposed Rule Violates the APA And Will Erode the Federal Government's Longstanding Commitment to Veterans.

This proposal exemplifies the executive overreach the APA seeks to prevent.³⁷ The APA prohibits actions that are "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law."³⁸ We maintain that this new rule exceeds the authority granted by Congress to agencies and extends entirely too much latitude to their discretion. It allows agencies to cancel grants deemed out of alignment with the Executive Branch's goals, ideological motives, and the "national interest," none of which are limited in scope by any qualifying language, and all of which are left effectively undefined.³⁹ OMB is recommending a regulatory rule change that explicitly *encourages* arbitrary and capricious decision-making. Since *Loper-Bright*, agencies have much less discretion to act in legally ambiguous areas and can expect to be subject to more aggressive litigation.⁴⁰ This proposed rule will almost certainly invite costly, avoidable litigation, burdening taxpayers for an indefensible regulatory experiment unlikely to withstand judicial review.⁴¹

Conclusion

It is important to note that the detrimental impacts of this proposed rule would not be limited to VA's research ecosystem and programs. The changes proposed by this rule would be felt across the whole of the U.S.'s current research infrastructure, workforce and reputation, as well as the whole of the federal grant landscape that has long defined our nation and enabled so many programs that improve the quality of life for countless Americans.⁴² If this proposed rule were to be finalized, it would leave the U.S. behind its peers and stunt the scientific excellence that has defined American progress for the last 250 years.

However, we cannot ignore the specific harms that this proposed rule would inflict on the nation's veterans. Veterans rely on VA's research ecosystem to develop new treatments and

³⁵ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32253.

³⁶ Boyle, Patrick. "Medical Schools and Veterans Hospitals: Old Friends Make New Discoveries." *AAMC*, 8 Feb. 2023, www.aamc.org/news/medical-schools-and-veterans-hospitals-old-friends-make-new-discoveries.

³⁷ 5 U.S.C. § 551 (2026).

³⁸ *Id.*

³⁹ Regulation for Federal Financial Assistance, 91 Fed. Reg. 32198.

⁴⁰ *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 377-78 (2024).

⁴¹ Howe, Amy. "Supreme Court Strikes Down Chevron, Curtailing Power of Federal Agencies," *SCOTUSblog* (Jun. 28, 2024), <https://www.scotusblog.com/2024/06/supreme-court-strikes-down-chevron-curtailling-power-of-federal-agencies>.

⁴² Busiek, Julia. "7 World-changing UC Innovations That Emerged from Federal Research Funding." University of California, 18 July 2025, www.universityofcalifornia.edu/news/7-world-changing-uc-innovations-emerged-federal-research-funding.

devices to improve their care, better understand the impact of their service on their long-term health, and develop the next generation of researchers and care providers that could find the next life-changing discovery for veteran care. The proposed revisions in this rule threaten VA's ability to honor our nation's promise to provide world-class care to veterans.⁴³

As a matter of policy, it is critical that we not lose sight of the role the federal government's research partnerships play in earning citizens' and especially veterans' trust in institutions. Undermining agencies historically shielded from partisan influence risks immeasurable damage. Public trust is particularly critical for the veteran community: how can future generations be expected to serve if the government routinely compromises the care promised to veterans? Stable federal grant administration free from political interference is essential to maintaining that trust.

For the reasons listed above, finalizing this rule would violate the trust of veterans and American citizens in the federal government, destroy the reputation and recruitment activities of VA's research ecosystem, and damage VA's ability to provide informed and specific care and programs to veterans. We urge you to withdraw this rule.

Sincerely,



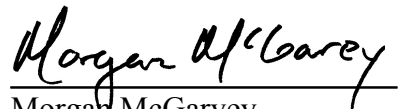
Mark Takano
Ranking Member
House Committee on
Veterans' Affairs



Julia Brownley
Member of Congress



Chris Pappas
Member of Congress

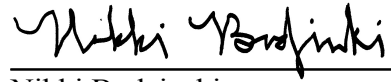


Morgan McGarvey
Member of Congress

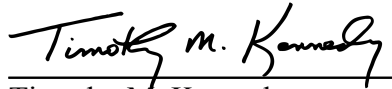
⁴³ U.S. Department of Veterans Affairs. "New VA Mission Statement Recognizes Sacred Commitment to All Veterans, Their Families, Caregivers And Survivors." VA.gov, 20 Mar. 2023, news.va.gov/117260/new-mission-statement-commitment-all-veterans.



Delia C. Ramirez
Member of Congress



Nikki Budzinski
Member of Congress



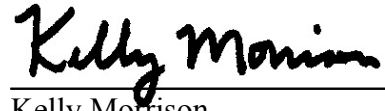
Timothy M. Kennedy
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