

United States Senate

May 6, 2019

VIA ELECTRONIC DELIVERY

The Honorable James E. Springs
Inspector General
Office of Inspector General
U.S. National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Dear Inspector General Springs:

I write to request that the U.S. National Archives and Records Administration (NARA) Office of Inspector General (OIG) initiate an investigation into the potential manipulation of the public comment submission process for an ongoing U.S. Department of Veterans Affairs (VA) rulemaking. Preliminary reports and observed suspicious activity indicate an unusually high volume of over 21,000 identical public comments were submitted for the VA proposed rule to amend its access standards regulations for the Veterans Community Care Program.

I sent a letter to the VA OIG on March 27, 2019 requesting a similar investigation into this public comment submission process. VA confirmed that a substantial number of the 23,000 comments it received were electronically submitted in the form of an identical letter. Additionally, at least nine individuals who had such a letter submitted in their name had contacted VA and requested their comments be withdrawn. VA OIG counsel recommended that NARA OIG was in the best position to investigate and address concerns with potential manipulative or improper conduct in the public comment submission process, because the electronic comments were submitted through Regulations.gov, a NARA operated website.

Any effort to manipulate or subvert the integrity of the Federal rulemaking process is alarming and may involve potential statutory, regulatory and policy violations. Worst of all, if automated entities are spamming the public comment process, this not only wastes taxpayer dollars in the form of hours spent sifting through bot-generated messages, but it also threatens to drown out the voices of real Veterans, Veterans Service Organizations and other advocates. Thank you in advance for your consideration of my request. If you have any questions about this oversight inquiry, please have your office contact Ms. Kayda Keleher at (202) 224-2854 or Kayda Keleher@duckworth.senate.gov.

Sincerely,



Tammy Duckworth
United States Senator