

October 1, 2025

Major General Warner A. Ross II
Tennessee National Guard
3041 Sidco Dr.
Nashville, TN 37204-4505

Re: Critical Violations of Department of War Directive 1344.10 by Matt Van Epps

Dear General Ross:

My name is Dillon Scott, and I am a resident of Tennessee's Seventh Congressional District, which is holding a Special Election next Tuesday, October 7, 2025. I recently saw a TV ad being aired by candidate Matt Van Epps, currently a Lieutenant Colonel in Tennessee's National Guard, that clearly violates the clear directives of the Department of War and the Department of the Army, which I wanted to bring to your attention. The ad is available here: <https://youtu.be/aRboNjk5fu4>.

I was greatly disturbed that Van Epps improperly appears in uniform during the ad to support his political candidacy, while also improperly misleading voters about his military status. This misleading and inappropriate behavior improperly implies endorsement of his candidacy by the Department of War and the Department of the Army.

Here is how Van Epps is depicted throughout the ad—in uniform and in front of what he represents to be his combat helicopter:



Given the sensitivities involved here with the upcoming election, I respectfully request that you take immediate action to stop Van Epps' obviously and flagrantly improper conduct.

As you are aware, Department of War Directive 1344.10 ("Directive") governs political activities by members of the armed forces, members of the National Guard like Mr. Van Epps. *See* Directive at Section 4. Violations of this Directive are punishable under Article 92 of the Uniform Code of Military Justice, "Failure to Obey Order or Regulation," Chapter 47 of Reference (b).

Here, the advertisement seriously and blatantly violates the Directive in a number of ways.

Most critically, Van Epps appears in military uniform *during the entire ad*. This violates the backbone requirement prohibiting political appearances in uniform. *See* Directive at 4.1.4 (Permitting certain political activities, "**provided the member is not in uniform** and does not otherwise act in a manner that could reasonably give rise to the inference or appearance of official sponsorship, approval, or endorsement." (emphasis added)).¹ This violation flouts the letter and intention of the Directive, and the authority of the Department of War. That someone who serves as a Lieutenant Colonel in the Tennessee National Guard would have committed such a clearcut violation of a well-established policy lacks any reasonable explanation.²

Beyond that critical violation, Van Epps violates the Directive in numerous other ways to falsely imply Department endorsement. As an example, beyond the appearance of Van Epps himself in uniform, the ad uses numerous other military imagery in a way that falsely implies endorsement by the Department. *See* Directive at 4.3.1.2 – 4.3.2.1 "While service members are allowed to "permit the inclusion of their current or former specific military duty, title, or position, or photographs in military uniform, when displayed with other non-military biographical details", they "may NOT, in campaign literature (including Web sites, videos, television, and conventional print advertisements). . . Use or allow the use of photographs, drawings, and other similar media formats of themselves in uniform as the primary graphic representation in any campaign media.") (emphasis in original).

Here, the ad continuously depicts Van Epps in uniform as the *sole* graphic representation in the ad. This plainly flouts Mr. Van Epps' service obligations under the Directive, and impermissibly implies military endorsement of his candidacy. Indeed, the ad contains *no* "non-military biographical details" about Van Epps in violation of the Directive at Section 4.3.2.1.

¹ Van Epps removed the patches and insignia from his uniform for purposes of the ad. This would seem to suggest that Van Epps is aware of the Directive, but believes that this action satisfies the Directive's requirements. It does not, as at a minimum, it is in violation of the "spirit and intent of this Directive." Directive at 4.1.5.

² *See* Van Epps Biography. <https://www.mattfortn.com/meet-matt>

Next, the ad fails to provide the required information about Van Epps' current retired service status, improperly indicating that Van Epps is an active-duty service member. The general public, viewing Van Epps in uniform, in front of what he represents to be his military aircraft, while discussing his combat service, is unable to decipher his military status, an omission which clearly violates the requirements of the Directive. *See* Directive at 4.3.1.1 ("permit[ing] the use or mention of, their military rank or grade and military service affiliation; BUT they must clearly indicate their retired or reserve status.") (emphasis in original).³

Here, for only *two seconds* in the middle of a 30-second ad replete with such images, the ad briefly flashes an incomplete disclaimer that fails to disclose that Van Epps' status.⁴ Coupled with the fact that Van Epps *appears in uniform* throughout the ad, the incomplete disclaimer appears to be for the purpose of making the viewer think he is still an active duty service member. This only heightens my concerns about viewers falsely thinking that Van Epps is endorsed by the Department of War or the Department of the Army.

Frankly, this ad is very disturbing and not at all indicative of someone who should serve in public office. His flagrant flouting of Departmental directives honors neither the language of the Directive nor its spirit. The public deserves better than this type of dishonorable and dishonest conduct.

I would also note that this is not a one-off lapse in judgment, but rather part of a concerted pattern by Van Epps and his allies. As an example, Van Epps' website also fails to denote his current military status, despite being filled with references to military duties, titles, position, and photographs in military uniform.

Allies of Van Epps are engaging in similar behavior. For example, in a recent advertisement, Conservatives for American Excellence, Inc. depicts Van Epps in military images for nearly 2/3 of its advertisement and also contains an incomplete military disclaimer. To my knowledge, Van Epps has not denounced or otherwise attempted to have his friends correct the ad. *See* Directive at 4.3.2.1 (forbidding someone to "use **or allow** the use of photographs, drawings, and other similar media formats of themselves in uniform as the primary graphic representation in any campaign media). As such, Mr. Van Epps does not escape responsibility for this misleading content, since he has not objected or attempted to stop the improper content being aired by his allies.

³ Moreover, while the ad does contain a bare bones disclaimer, it is very small and difficult to read. This is in contrast to the Department requirement that a COMPLETE disclaimer be "prominent and clearly displayed." Directive at 4.3.1.2.

⁴ At the 0:04 mark, the ad briefly denotes that "Use of military rank, job titles, and photographs in uniform does not imply an endorsement by the United States Army or the DOD."

October 1, 2025

Page 4 of 4

In conclusion, Van Epps' ad improperly implies endorsement by the Departments of War and the Army by failing to follow direct orders on how to properly depict prior military disclaimer. I ask you to immediately take action against Van Epps to halt this improper politicization of the Departments of War and Defense.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Dillon Scott', with a stylized flourish at the end.

Dillon Scott

CC: Steven Stebbins, Acting Inspector General, Department of War
Department of the Army Inspector General
Fort Campbell—Office of the Judge Advocate

.