



July 21, 2025

The Honorable Michael Rulli
U.S. House of Representatives
Washington, DC 20515

Re: Support for H.R. 2958 – Balance the Scales Act

Dear Representative Rulli:

Business Group on Health is writing express our support for H.R. 2958, the *Balance the Scales Act*. The Business Group represents a [network of more than 440 of today's largest and most forward-thinking employers and industry partners](#) including 72 Fortune 100 companies, providing health coverage for 60 million workers, retirees and their families in 200 countries. In general, Business Group members are part of the regulated community over which the Employee Benefits Security Administration (EBSA) has primary jurisdiction for aspects of health and welfare plan administration.

We value the important role that EBSA plays in helping to ensure the integrity of employer-sponsored benefit plans. We believe that the best approach for EBSA is to first and foremost work as a compliance assistance partner with the regulated community to engender a collaborative and innovation-driving environment where employers are encouraged to adopt and invest in robust benefit plans and programs, and work with EBSA to ensure compliance.

We have been concerned about recent reports of EBSA's use of "common interest agreements" or other similar instruments and believe such practice undermines the trust and open engagement that should be the hallmark of promoting adoption of voluntary health, welfare, and other employee benefits. We support the enactment of H.R. 2958 and believe it will help avoid inappropriate information sharing and abuse by civil litigators while encouraging the agency to maintain a focus on trust-building, open dialog with the regulated community.

Thank you for your leadership and attention to this important issue. We would welcome the opportunity to discuss these comments or any other matters impacting employer plan sponsors. Please feel free to contact me (kelsay@businessgrouphealth.org) or Garrett Hohimer, Vice President, Policy and Advocacy (hohimer@businessgrouphealth.org) to discuss further.

Sincerely,

Ellen Kelsay
President and CEO