

ONE HUNDRED THIRTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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August 30, 2013

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Upton:

I am writing regarding letters you sent yesterday to 51 groups that received grants to serve as Navigators to help the uninsured sign up for benefits under the new health care law. There is no legitimate predicate for these letters and no evidence of any malfeasance from any of the organizations. It is an abuse of your oversight authority to launch groundless investigations into civic organizations that are trying to make health reform a success.

You have opened investigations of every group that received Navigator grants in 11 states. You have asked these organizations to respond to extensive and time-consuming requests for information. You are demanding that the groups provide "all documents and communications related to your Navigator grant." And you are requesting that they provide briefings and answer a long list of questions on organization budgets and employee training, education, monitoring, review, and supervision.

The timing of these letters is particularly suspect. You are insisting on voluminous document productions by September 13, just when these groups need to be focused on their mission of helping uninsured Americans enroll for coverage. Indeed, it appears that these requests may have been sent solely to divert the resources of small, local community groups, just as they are needed to help with the new health care law. Certainly, there is no explanation of what legitimate purpose is served by the Committee making such invasive requests of small, non-partisan, and community-based organizations like Arizona's Campesinos Sin Fronteras, Inc. (recipient of a \$71,386 grant), Louisiana's Martin Luther King Health Center, Inc. (recipient of an \$81,086 grant), and New Jersey's Food Bank of Monmouth and Ocean Counties, Inc. (recipient of a \$137,217 grant).

Unfortunately, these are not the only investigations you are conducting that are draining resources from entities doing important and time-sensitive work to implement the health care law and deterring others from working with these groups or the Administration. In May, you sent letters to HHS, Enroll America, and 15 other entities seeking detailed information and

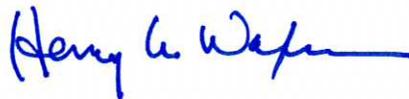
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documents regarding their work to inform the public about new benefits. Earlier this month, with no public notice, you sent letters to six HHS Affordable Care Act contractors, seeking briefings and documents from these entities. These investigations appear to be little more than fishing expeditions.

As you know, I am a strong believer in the congressional oversight process. Done right, oversight can prevent abuses, ensure laws are implemented correctly, and save taxpayer money. But your investigations of the implementation of the Affordable Care Act do not appear to be designed to achieve these goals. Their impact is not to enlighten the Committee, but to intimidate and divert resources from the effort to implement the law.

I urge you to reconsider these misguided investigations.

Sincerely,



Henry A. Waxman
Ranking Minority Member
House Energy and Commerce Committee