

ONE HUNDRED TWELFTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

September 20, 2012

Mr. Robert G. Romasco  
President  
AARP  
601 E Street, N.W.  
Washington, D.C. 20049

Dear Mr. Romasco:

On April 18, 2011, the Energy and Commerce Committee wrote to AARP and several other organizations requesting information on the discussions between representatives of these advocacy organizations and White House officials before the passage of the Patient Protection and Affordable Care Act (PPACA). Despite promises of transparency by President Obama, the discussions and negotiations between the White House and special interest groups like AARP were hidden from the public. Our investigation sought to bring these private negotiations into the public's view so the American people could better understand the process used to develop such a consequential piece of legislation.

The documents and information obtained by the Committee show that AARP representatives spoke at length with the White House on all aspects of the PPACA throughout its development and as lawmakers were hearing arguments for and against its passage. Our review of the communications and documentation your organization provided reveal that AARP representatives were not only heavily involved in discussing potential policy changes under the PPACA, but were also coordinating political efforts with the White House. In fact, e-mails provided by AARP establish your group as being integral to securing the final vote for passage of the PPACA.

Considering that AARP endorsed both the House and Senate health care bills, this may not seem out of the ordinary. However, the e-mails provided by your organization show that your own membership was strongly opposed to any health care bill even as AARP staff was advocating for passage. Equally surprising, the communications we have obtained show discussions among staff members at AARP indicating that they were working with the White House to keep the AARP Board of Directors "in line."

The e-mails provided to the Committee show:

- According to one AARP employee, calls to AARP were 14 to 1 against health care legislation.<sup>1</sup> In fact, on one day your organization received 4,174 calls opposing health care legislation and only 36 supporting it.<sup>2</sup>
- As the final vote on Senate passage approached, then White House Deputy Chief of Staff Jim Messina wrote to an AARP employee saying “we need [B]arry [R.]and to go meet with [B]en [N]elson personally and just lay it on the line.”<sup>3</sup> Mr. Messina also asked that same employee for “robo calls into Nebraska.”<sup>4</sup>
- AARP was clearly assisting White House efforts to court both elected officials and the public. In October 2009, Messina was informed that AARP CEO Barry Rand had met with Senator Dorgan “as you requested.”<sup>5</sup> Earlier, as grassroots protests against health care legislation grew, White House Office of Health Reform Director Nancy-Ann DeParle had asked the AARP if “there [is] any way you can think of to get POTUS in front of a lot of srs?”<sup>6</sup>
- It appears that within the AARP many believed that the PPACA’s drastic cuts to Medicare would harm seniors’ benefits: “...It may not seem like it to you, but it was actually a heavy lift for us to convince many at AARP that Medicare ‘savings’ (which they read as cuts) is not bad for beneficiaries.”<sup>7</sup>
- Other communications indicate that the White House may have been working with AARP employees to control the AARP Board. In December 2009, as the fight for votes over the PPACA peaked (and any public denouncement by a group like AARP could have stopped the push for legislation), one AARP employee turned down an invite to an event with President Obama, but wrote to the White House Office of Public Engagement: “...thanks so much. I am presenting to my Board on health reform Wednesday, however. I think you want me to keep my Board in line, so please understand my need to regret.”<sup>8</sup>
- Similarly, it appears that AARP employees were working with Administration officials to help convince the AARP Board to accept certain PPACA policy positions. In particular, when the idea of paying for the PPACA by substantially cutting Medicare was first proposed, an AARP employee wrote to the Office of Management and Budget: “We are preparing for our Board meeting next week and need to get their buy-in on several proposals—one of which is the President’s idea to get \$600 billion worth of savings from

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<sup>1</sup> E-mail from Nora Super to Lauren Aronson (July 24, 2009 08:14) (AARP Document Production 834).

<sup>2</sup> E-mail from Robert Fox (July 29, 2009 12:14) (AARP Document Production 428).

<sup>3</sup> E-mail from Jim Messina to Nancy LeaMond (Dec. 15, 2009 12:49) (AARP Document Production 902).

<sup>4</sup> E-mail from Jim Messina to Nancy LeaMond (Dec. 15, 2009 01:13) (AARP Document Production 903).

<sup>5</sup> E-mail from Nancy LeaMond to Jim Messina (Oct. 15, 2009 10:39:18) (AARP Document Production 925).

<sup>6</sup> E-mail from Nancy-Ann DeParle to John Rother (Aug. 19, 2009 15:59:19) (AARP Document Production 701).

<sup>7</sup> E-mail from Nora Super to Michael Hash and Keith Fontenot (June 14, 2009 08:32) (AARP Document Production 799).

<sup>8</sup> E-mail from John Rother to Ann Widger (Dec. 7, 2009 11:32:42) (AARP Document Production 749).

Medicare. As you might imagine, they are a bit concerned about this. Anyway you could share some of these ideas with us in advance???? It would really help get them on Board.”<sup>9</sup>

- Despite claims of being a non-partisan group, e-mails reviewed by the Committee clearly indicate that AARP was working with Democrats to both pass the PPACA and rebut Republican criticism to the legislation. For example, an employee wrote to Mr. Messina and Ms. DeParle in late 2009: “...I am seized of concerns about extended coherent, strong messaging by Republicans on the Medicare savings in the bill. I would like to work closely with whomever is managing that part of the debate.”<sup>10</sup>

We believe that these communications show that AARP was working closely with the Obama Administration to pass a bill widely understood to be a partisan endeavor despite your organization’s public claims to be nonpartisan and despite the opposition of your membership. This meant using both the name and credibility of AARP to convince wavering Senators and House Members while ignoring the very real cuts to Medicare that would impact AARP members the most. These e-mails, along with others that indicate a close relationship between AARP and the Administration, are attached.

Considering that AARP prominently identifies itself as a “nonprofit, nonpartisan organization” advocating on behalf of its members, we are troubled by these documents that portray the organization as an arm of the White House.<sup>11</sup> In order to help the Committee understand your role in passage of this legislation as a nonpartisan, membership-driven advocacy organization, please provide documentation or responses to the following questions and requests by October 4, 2012:

- Explain the process by which AARP decided to endorse the House and Senate health care bills. Provide all internal communication, including e-mail or staff presentations, summarizing or discussing the Board’s deliberations (including the communications of individual Board members) and decision to endorse.
- Was the Board of AARP aware that calls opposing health care legislation were vastly outnumbering calls supporting it? As the White House appeared to be receiving almost daily reports of AARP members’ opposition, was the Board also receiving such communications? Please provide internal communications, including e-mails, summarizing or discussing these calls or the Board’s (including the communications of individual Board members) discussions or deliberations on the matter.
- How was the Board informed of the actions being taken by AARP staff to assist the Administration’s efforts to pass health care legislation? Please provide any memoranda,

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<sup>9</sup> E-mail from Nora Super to Keith Fontenot (June 9, 2009 18:21) (AARP Document Production 553).

<sup>10</sup> E-mail from Nancy LeaMond to Jim Messina and Nancy Ann DeParle (Nov. 29, 2009 14:39) (AARP Document Production 906).

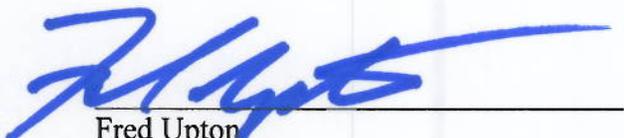
<sup>11</sup> In fact, after passage of the PPACA an AARP employee wrote to Messina: “...This is the new AARP-WH/HILL – LeaMond/Messina relationship. We do what we say we will do...” E-mail from Nancy LeaMond to Jim Messina (March 22, 2009 14:43) (AARP Document Production 928).

e-mails, presentations, or any other documents describing or summarizing the efforts being undertaken by AARP employees.

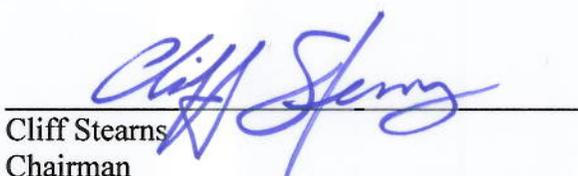
- The e-mails provided by AARP indicate that there was concern within AARP over the PPACA's substantial cuts to Medicare. Please provide all internal communications, including e-mails or staff presentations, discussing the PPACA's cuts to Medicare.

Thank you for your prompt attention to this matter. If you have any questions, please call Committee staff at (202) 225-2927.

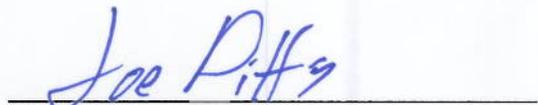
Sincerely,



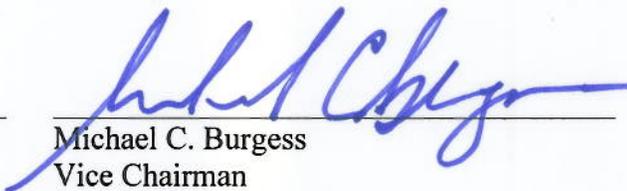
Fred Upton  
Chairman



Cliff Stearns  
Chairman  
Subcommittee on Oversight and Investigations



Joseph R. Pitts  
Chairman  
Subcommittee on Health



Michael C. Burgess  
Vice Chairman  
Subcommittee on Health

cc: Mr. Barry Rand, Chief Executive Officer  
AARP