

ONE HUNDRED THIRTEENTH 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

May 16, 2013

Anne Filipic
Enroll America
1201 New York Avenue, N.W.
Suite 1100
Washington, D.C. 20005

Dear Ms. Filipic:

Pursuant to Rules X and XI of the United States House of Representatives, the Committee is investigating reports that the Secretary of the Department of Health and Human Services (HHS) may have solicited funding or assistance from health care industry companies to assist Enroll America in establishing and implementing the Patient Protection and Affordable Care Act (PPACA).

According to a May 10, 2013, *Washington Post* article, “[o]ver the past three months, [HHS Secretary Kathleen] Sebelius has made multiple phone calls to health industry executives, community organizations and church groups and asked that they contribute whatever they can to nonprofit groups that are working to enroll uninsured Americans and increase awareness of the law....”¹ This article also quotes an HHS spokesman who claims that Secretary Sebelius “did not solicit for funds directly from industries that HHS regulates, such as insurance companies and hospitals, but rather asked them to contribute in whatever way they can.” Yet the article claims that an industry official with knowledge of Secretary Sebelius’s requests said “there was a clear insinuation by the administration that the insurers should give financially to the nonprofits.”

The New York Times reported earlier this week that a spokesman for Secretary Sebelius said “she had suggested that health care executives and others support the work of Enroll America, a private nonprofit group that shares the president’s goal of securing coverage for people without insurance.”² It is our understanding that Enroll America, a 501(c)(3) organization, announced its formation in September 2011 with the purpose of ensuring “that all Americans are enrolled in and retain health coverage.” As many of the individuals and

¹ Sarah Kliff, *Budget request denied, Sebelius turns to health executives to finance Obamacare*, WASHINGTON POST, May 10, 2013 available at <http://www.washingtonpost.com/blogs/wonkblog/wp/2013/05/10/budget-request-denied-sebelius-turns-to-health-executives-to-finance-obamacare/>.

² Robert Pear, *Cabinet Secretary Solicits Large Donations to Publicize Health Care Law*, NY Times, May 12, 2013 at A14.

companies on Enroll America's Board of Directors and Advisory Council are part of the health care industry, and will be subject to HHS regulation pursuant to PPACA, we have questions about HHS's involvement in the work of Enroll America as it relates to the implementation of the PPACA.

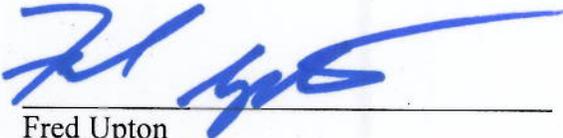
In order to better understand the efforts by the HHS Secretary to solicit help in establishing the PPACA, please provide the following information and documents by May 27, 2013:

1. Has Enroll America had discussions with the Secretary, staff, officials, or representatives of HHS relating to the solicitation of funding, donations, or assistance of any kind from health care industry companies or organizations for the implementation of the PPACA? Please provide a list of the employees, staff, officials, or representatives of Enroll America who have participated in these discussions; a list of HHS employees, staff, officials, or representatives who participated in these discussions, and a list of any health care industry companies or organizations that participated in these discussions.
2. For the above request, please provide all documents and communications relating to these conversations or discussions, including e-mail. This includes, but is not limited to, memoranda or e-mails detailing or summarizing such conversations, and any presentations used for or created because of these conversations.
3. Please describe the process by which Enroll America obtained its 501(c)(3) status. This would include the date you submitted your application to the IRS and the date you were approved. Provide any materials submitted to the IRS and any additional questions or documents requested by the IRS.

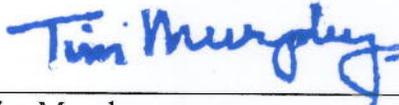
In addition to providing the above information, please contact Committee staff to schedule a briefing to occur no later than May 27, 2013, to discuss these matters.

Instructions for responding to the Committee's document requests are included as an attachment to this letter. Thank you for your prompt attention to this matter. If you have questions or wish to discuss your responses or production, please contact Sean Hayes with Committee staff at (202) 225-2927.

Sincerely,



Fred Upton
Chairman



Tim Murphy
Chairman
Subcommittee on Oversight and Investigations

Letter to Ms. Anne Filipic

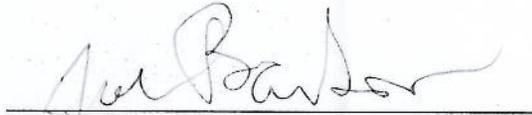
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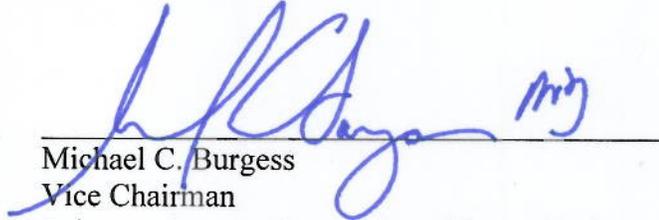
Marsha Blackburn
Vice Chairman



Joseph R. Pitts
Chairman
Subcommittee on Health



Joe Barton
Chairman Emeritus



Michael C. Burgess
Vice Chairman
Subcommittee on Oversight and Investigations

Attachment

cc: The Honorable Henry Waxman, Ranking Member

The Honorable Frank Pallone, Ranking Member
Subcommittee on Health

The Honorable Diana DeGette, Ranking Member
Subcommittee on Oversight and Investigations