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U.S. House of Representatives

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JANICE MAYS, MINORITY CHIEF COUNSEL

October 24, 2012

The Honorable Kathleen Sebelius Secretary Department of Health and Human Services 200 Independence Avenue, S.W. Washington, D.C. 20201

Dear Secretary Sebelius:

The Department of Health and Human Services (Department) has spent millions of taxpayer dollars to promote the Administration's policies. These efforts have included costly contracts for "a big guerilla campaign splash," in the words of one Administration official, to drive Internet traffic to pro-Obamacare websites and produce television commercials promoting the Administration's positions. Recent reports also suggest public funds were used to push prime-time television shows to add dialogue with "people talking about that health insurance thing," according to one former Administration official.

On the basis of the allegations described above, on May 22, 2012, Chairman Boustany wrote to you requesting information on the use of taxpayer dollars at the Department on contracts for public relations, advertisements, polling, message testing, and similar services, along with any work product created pursuant to those contracts. The letter requested responsive documents by no later than June 1. On August 1, having received no responsive documents, Chairman Boustany wrote you a follow-up letter requesting a response. It is now October 15, and your Department has failed to produce a single responsive document.

In the more than twenty weeks that have passed since the original request, the Department has repeatedly made representations that the production of responsive documents was imminent. In numerous e-mails, Department officials said that the Department's response was "close," or would be produced "next week" or "any day now." The Department's failure to provide a single responsive document to the Committee's reasonable requests leaves only two possibilities: either the Department is unable to keep track of the work products it buys with taxpayer dollars or the Department

is trying to delay any response until after this year's election. Neither explanation is acceptable.

We are writing to demand that you provide all responsive documents by October 31, 2012. Should your Department not provide these documents by this date, the Committee will be forced to consider issuing a subpoena to compel you to do so. This is not an action the Committee takes lightly, but it is one that appears required in light of your Department's refusal to be transparent in its expenditure of taxpayer dollars.

Sincerely,

DAVE CAMP

Chairman

CHARLES BOUSTANY, Jr. MD

Chairman

Subcommittee on Oversight