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ONE HUNDRED ELEVENTH CONGRESS

Congress of the United States

House of Representatives

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ANH "JOSEPH" CAO, LOUISIANA

March 18, 2010

J. James Rohack, MD
President
American Medical Association
515 N. State Street
Chicago, IL 60654

Dear Dr. Rohack:

The President's promise(s) to televise the negotiations leading up to health care reform have gone unfulfilled.¹ Additionally, contrary to the President's oft-stated goal of transparency,² the rank and file members of the Democratic Caucus and the entire Republican Conference have not had the opportunity to participate in the negotiations between the Democratic leadership, the White House, and health care stakeholders. This is troubling to Members of Congress who value transparency in government.

During earlier rounds of health reform negotiations in the summer and fall, it was frequently reported that a health care stakeholder had come to an agreement (i.e. cut a deal) with the White House or Democratic leadership in the House and Senate. In one example, CNN reported in July 2009, that the hospital industry cut a \$155 billion deal with the White House to fund health care reform.³ In another example, one media outlet has gone so far as to suggest that Democratic Leadership allowed certain stakeholders to participate in negotiations in exchange for their silence in not launching a public relations campaign against reform and in exchange for campaign dollars flowing to vulnerable Democratic freshman, and conversely away from Republican candidates.⁴ On March 15,

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2010, it was reported that the pharmaceutical industry spent the weekend assisting Senate staff in drafting the new health care reform legislation.⁵ These examples are only the tip of the iceberg. The negotiations leading up to the finished health care reform bill and the consequences of the deals cut by the White House and Democratic leadership are likely to become the subject of Congressional oversight and scrutiny for years to come.

In an effort to avoid exhaustive Congressional oversight and to advance the goal of transparency, we request that your organization or its agent, as a stakeholder, voluntarily disclose any pre-arranged deals or agreements with the White House or Democratic Congressional leadership on health care reform. If your organization or its agent has not engaged in any negotiations with the White House, we request that you certify this in writing (see attached certification).

If your organization or its agent has engaged in health care reform negotiations, please answer the following requests for information in writing by March 31, 2010, regarding those negotiations:

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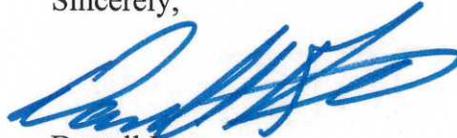
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⁵ Chris Frates, *Pharma Tried to Protect its Deal*, POLITICO (Mar. 15, 2010).

J. James Rohack, MD
March 18, 2010
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I look forward to hearing from you. If you have any questions, please do not hesitate to contact Ashley Callen with the Committee, 202-225-5074. Thank you for your cooperation in this matter.

Sincerely,



Darrell Issa
Ranking Member

cc: The Honorable Edolphus Towns, Chairman

Enclosure

CERTIFICATIONS

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March 18, 2010

Gerald W. McEntee
President
American Federation of State, County
and Municipal Employees, AFL-CIO
1625 L Street, N.W.
Washington, DC 20036-5687

Dear Mr. McEntee:

The President's promise(s) to televise the negotiations leading up to health care reform have gone unfulfilled.¹ Additionally, contrary to the President's oft-stated goal of transparency,² the rank and file members of the Democratic Caucus and the entire Republican Conference have not had the opportunity to participate in the negotiations between the Democratic leadership, the White House, and health care stakeholders. This is troubling to Members of Congress who value transparency in government.

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Gerald W. McEntee
March 18, 2010
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Sincerely,



Darrell Issa
Ranking Member

cc: The Honorable Edolphus Towns, Chairman

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ANH "JOSEPH" CAO, LOUISIANA

March 18, 2010

Thomas J. Donohue
President and Chief Executive Officer
U.S. Chamber of Commerce
1615 H Street, NW
Washington, DC 20062-2000

Dear Mr. Donohue:

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Thomas J. Donohue
March 18, 2010
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Sincerely,



Darrell Issa
Ranking Member

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March 18, 2010

Richard Umbdenstock
President and Chief Executive Officer
American Hospital Association
325 Seventh Street, N.W.
Washington, DC 20004

Dear Mr. Umbdenstock:

The President's promise(s) to televise the negotiations leading up to health care reform have gone unfulfilled.¹ Additionally, contrary to the President's oft-stated goal of transparency,² the rank and file members of the Democratic Caucus and the entire Republican Conference have not had the opportunity to participate in the negotiations between the Democratic leadership, the White House, and health care stakeholders. This is troubling to Members of Congress who value transparency in government.

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Sincerely,



Darrell Issa
Ranking Member

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March 18, 2010

Billy Tauzin
President and Chief Executive Officer
PhRMA
950 F Street, NW
Suite 300
Washington, DC 20004

Dear Mr. Tauzin:

The President's promise(s) to televise the negotiations leading up to health care reform have gone unfulfilled.¹ Additionally, contrary to the President's oft-stated goal of transparency,² the rank and file members of the Democratic Caucus and the entire Republican Conference have not had the opportunity to participate in the negotiations between the Democratic leadership, the White House, and health care stakeholders. This is troubling to Members of Congress who value transparency in government.

During earlier rounds of health reform negotiations in the summer and fall, it was frequently reported that a health care stakeholder had come to an agreement (i.e. cut a deal) with the White House or Democratic leadership in the House and Senate. In one example, CNN reported in July 2009, that the hospital industry cut a \$155 billion deal with the White House to fund health care reform.³ In another example, one media outlet has gone so far as to suggest that Democratic Leadership allowed certain stakeholders to participate in negotiations in exchange for their silence in not launching a public relations campaign against reform and in exchange for campaign dollars flowing to vulnerable Democratic freshman, and conversely away from Republican candidates.⁴ On March 15,

¹ See <http://www.youtube.com/watch?v=E2ttojZEoIQ>.

² Transparency and Open Government, Memorandum for the Heads of Executive Departments and Agencies, 74 Fed. Reg. 4685 (Jan. 26, 2009).

³ CNN Staff Reporters, *Biden Cheers Deal with Hospitals on Health Care Reform*, <http://www.cnn.com/2009/POLITICS/07/08/biden.health.care/index.html> (July 8, 2009).

⁴ Jane Hamsher, *The Baucus Caucus: PhRMA, Insurance, Hospitals and Rahm*, <http://fdlaction.firedoglake.com/2009/08/19/the-baucus-caucus-phrma-insurance-hospitals-and-rahm/> (Aug. 19, 2009).

2010, it was reported that the pharmaceutical industry spent the weekend assisting Senate staff in drafting the new health care reform legislation.⁵ These examples are only the tip of the iceberg. The negotiations leading up to the finished health care reform bill and the consequences of the deals cut by the White House and Democratic leadership are likely to become the subject of Congressional oversight and scrutiny for years to come.

In an effort to avoid exhaustive Congressional oversight and to advance the goal of transparency, we request that your organization or its agent, as a stakeholder, voluntarily disclose any pre-arranged deals or agreements with the White House or Democratic Congressional leadership on health care reform. If your organization or its agent has not engaged in any negotiations with the White House, we request that you certify this in writing (see attached certification).

If your organization or its agent has engaged in health care reform negotiations, please answer the following requests for information in writing by March 31, 2010, regarding those negotiations:

1. Identify all health care reform meetings with White House staff and the meeting participants, including dates of any such meetings.
2. Identify all health care reform meetings with Democratic Congressional leadership and the meeting participants, including dates of any such meetings.
3. Identify any benefits your organization believes it will receive as a result of engaging in negotiations with the White House or Democratic Congressional leadership.
4. Identify any consideration your organization understood it was required to convey to the White House or Democratic Congressional leadership.
5. Identify any action (or inaction) expressly or implicitly agreed to by your organization or its agent during any meeting with White House or Congressional leadership regarding health care reform.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X.

⁵ Chris Frates, *Pharma Tried to Protect its Deal*, POLITICO (Mar. 15, 2010).

Billy Tauzin
March 18, 2010
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I look forward to hearing from you. If you have any questions, please do not hesitate to contact Ashley Callen with the Committee, 202-225-5074. Thank you for your cooperation in this matter.

Sincerely,



Darrell Issa
Ranking Member

cc: The Honorable Edolphus Towns, Chairman

Enclosure

CERTIFICATIONS

I hereby certify that _____ (name of organization) or its agent did not participate in health care reform negotiations with the White House.

Signature

I hereby certify that _____ (name of organization) or its agent did not participate in health care reform negotiations with the Democratic Congressional Leadership.

Signature