

Congress of the United States
Washington, DC 20515

October 28, 2013

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

Dear Secretary Sebelius:

We write to express our concerns regarding the implementation of the health insurance exchanges resulting from the Patient Protection and Affordable Care Act (PPACA, P.L. 111-148). Despite knowledge of the October 1 rollout date for three and a half years and the investment of hundreds of millions of taxpayer dollars, implementation of this part of the law has been nothing short of disastrous.

It has been over three weeks since Americans in 36 states were allowed to sign up for the health insurance exchanges on Healthcare.gov. Since then, error messages, extensive wait times, and frequent malfunctions have exhausted and frustrated those who have attempted to log onto the website. Although you have identified the issues as mere “glitches”, mounting evidence illustrates the problems are far more serious, involving fundamental flaws embedded deep into the framework of the program.

The bungling implementation of the exchanges seems inexplicable. With overwhelming amounts of resources and time at its disposal, the Administration has somehow been unable to build one functional website in the country that houses the largest and most successful internet companies in the world.

Claims that unexpectedly high turnout have caused the malfunctions are erroneous. The Administration’s basis for the exchanges was that the American people desired an easier way to purchase health insurance. Being unprepared for a certain turnout after a massive media campaign is inexcusable. Many software experts disagree that high turnout is the reason for the persisting problems explaining the code for the website was poorly written and appears as though it was not even tested before going live.

Coding experts are not alone. According to a recent AP-GfK poll, 75 percent of those who tried to sign up on the federal health exchange reported problems. Overall, only 7 percent of Americans say the rollout of the health exchanges has gone well.

In July of this year, despite questionable authority, the Administration unilaterally delayed the penalty on the employer mandate provision of the PPACA amid uncertainty over unfinished regulations. Unfortunately, individuals who have to navigate the debacle of a healthcare website do not have the luxury to lobby White House and agency officials as some employers do. On their behalf, we request equality between businesses and the individual in a delay of the individual mandate, at least until the marketplace is functional. As you know, the House of Representatives has already passed legislation to delay this provision and we urge the Administration to endorse this approach.

Thank you for your time. We hope you will strongly consider this request and that you see the inconsistencies in subjecting Americans to a tax for not buying a product from a website that does not work.

Sincerely,



CHRIS COLLINS
Member of Congress



DAN BENISHEK
Member of Congress



WALTER B. JONES
Member of Congress



LYNN WESTMORELAND
Member of Congress



DOUG LAMALFA
Member of Congress



LUKE MESSER
Member of Congress



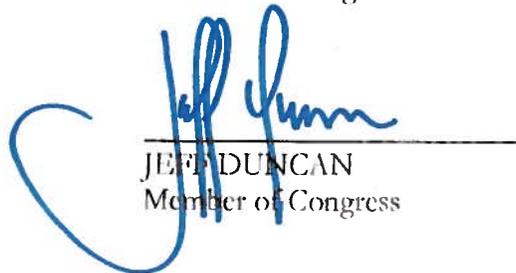
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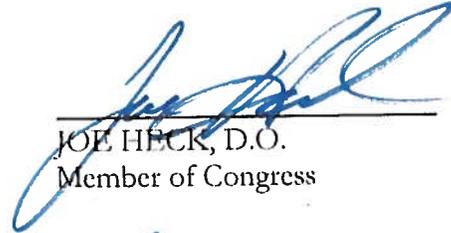
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