

Statement by  
**Jim R. Esquea**  
**Assistant Secretary for Legislation**  
**U.S. Department of Health and Human Services**  
on  
**Document Production Status Update, Part II**  
before  
**Committee on Oversight and Government Reform**  
**United States House of Representatives**  
**April 19, 2016**

Mr. Chairman, Ranking Member Cummings, and Members of the Committee, I appreciate this opportunity to testify on the Department of Health and Human Services' (HHS) response to Congressional oversight and requests for documents. I am Jim Esquea, the Assistant Secretary for Legislation at HHS. Prior to coming to HHS, I was on the staff of the Senate Committee on the Budget for 11 years for Senator Kent Conrad of North Dakota. I have a deep appreciation for the important work of Congress and strive to facilitate positive and productive interactions between Congress and HHS every day.

HHS's mission is to enhance and protect the health and well-being of all Americans. We accomplish this mission every day by providing effective health and human services and fostering advances in medicine, public health, and social services. Our 11 operating divisions include large and diverse agencies such as the Centers for Disease Control and Prevention, the Centers for Medicare & Medicaid Services, the Food and Drug Administration, and the National Institutes of Health. From providing health care coverage to more than 100 million people through Medicare, Medicaid, the Children's Health Insurance Program, and the Health Insurance Marketplace, to conducting cutting edge biomedical research, and working to assure the safety, effectiveness, and quality of foods, drugs, vaccines, and medical devices, HHS programs touch the lives of all Americans.

As part of its critical mission to enhance and protect the health and well-being of all Americans, HHS also regularly interacts and communicates with Congress. Secretary Burwell has made working cooperatively with Congress one of her key priorities and we view Congress as a valuable partner as we work together on legislation, appropriations, and oversight. HHS recognizes and values Congress's important oversight role, and has a long history of cooperating with oversight requests for information regarding its programs. As the Assistant Secretary for Legislation, my office works with many different Committees and Members on a daily basis to provide Congress with accurate, complete, and timely information. Given my previous experience working for the Senate, I certainly understand and respect the importance of Congress's oversight function.

Given the breadth of the programs administered by the Department, we receive inquiries from virtually every Member's office and regularly receive a variety of requests from at least 20 Committees on both the House and Senate side. Since the 114<sup>th</sup> Congress began in January 2015, HHS has responded to over 5,200 Congressional letters, testified at almost 150 hearings, and provided at least 1,600 briefings to the Hill. In addition, we have responded to numerous requests for documents from multiple committees, and have provided tens of thousands of pages of documents. Agency staff also routinely responds to numerous informal inquiries from Congress for requests for information or for help with constituent work.

In responding to this incredible volume of requests, we work to accommodate Congress's legitimate oversight inquiries consistent with important Executive Branch interests, while being cognizant of resource constraints. We work collaboratively with Congressional staff to understand priorities and to develop mutually agreeable solutions. Often, we receive very broad and complex requests that may involve many different components of the Department. Such requests require more time and attention to ensure that we are providing accurate and complete information. There have also been some instances where Committees have requested extremely sensitive information, involving cybersecurity, market sensitivity, ongoing law enforcement investigations, personally identifiable information, and internal deliberations. In such situations, we have sought solutions to balance the Committee's interests and our obligation to safeguard certain information. We have provided substantive narrative responses, briefings by agency experts, and *in camera* reviews. In all cases, we work hard to respond to Congress's requests for information about our programs.

We look forward to continuing to work with this Committee and others to respond to requests for information in a timely manner consistent with our obligations to safeguard important information.

Thank you for the opportunity to be here today. I would be happy to answer your questions.

## Jim Esquea

**Assistant Secretary for Legislation (ASL)****Phone Number:** 202-690-7627

Jim Esquea was the analyst for Income Security and Medicaid for the Democratic staff of the U.S. Senate Budget Committee from 1999 to 2010. While on the committee he covered issues ranging from veterans affairs and justice programs to child welfare, Temporary Assistance for Needy Families, supplemental nutrition assistance, public housing, Medicaid, the Children's Health Insurance Program and other health programs.

Before working for the Budget Committee, Mr. Esquea worked in the health division focusing on the Food and Drug Administration for the White House Office of Management and Budget from 1994 to 1999 under the Clinton Administration. He has a Bachelor of Arts Degree from Wesleyan University and a Master in Public Administration from Columbia University.

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