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ONE HUNDRED THIRTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074  
FACSIMILE (202) 225-3974  
MINORITY (202) 225-5051

<http://oversight.house.gov>

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### Opening Statement Rep. Elijah E. Cummings, Ranking Member

#### Hearing on "HHS' Own Security Concerns about HealthCare.gov"

January 16, 2014

Thank you, Mr. Chairman, and good morning. Today is the 22nd hearing our Committee has held on the Affordable Care Act. We have spent more time on this one issue over the past three years than on any other topic.

So, where are we today? The law went into full effect on January 1, and now millions of people are getting health insurance they did not have before. They are receiving critical medical care, and they have the security of knowing they will not go bankrupt if they get into an accident or get sick. That is a phenomenal accomplishment.

The law also put into place key protections for consumers. Insurance companies are now prohibited from discriminating against people with cancer, diabetes, and other preexisting conditions. Insurance companies may not charge higher prices for women, and millions of people are now receiving free preventative care.

There are also huge financial benefits. Health insurance companies are sending rebate checks to millions of people. Since the law was passed, we have seen the lowest growth in healthcare costs in 50 years. If we repealed the law today, it would increase our deficit by more than \$1.5 trillion dollars.

Despite all of these positive results, Republicans are still obsessed with killing this law. After more than 40 votes in the House, they shut down the government in an unsuccessful attempt to de-fund the law. Now they have shifted to a new tactic: scaring people away from the Healthcare.gov website.

Everyone agrees that initially the website's performance was seriously flawed. Our Committee has a legitimate interest in investigating contractor performance and agency oversight, and we have held multiple hearings on this topic already.

In terms of the security of the website, however, it is important to highlight all of the facts instead of cherry-picking partial information to promote a political narrative that is inaccurate. Based on the documents we have reviewed and the interviews we have conducted, I believe we can establish several key facts.

First, although some employees expressed concern with security testing before the website was launched, the agency addressed these risks by implementing a strong mitigation plan as part of the Authority to Operate memo that was issued on September 27.

Second, since that time, the agency has complied successfully with this mitigation plan. The agency has now completed full end-to-end security testing of the system, and it addressed specific issues that arose in a timely manner.

Third, witnesses interviewed by the Committee have praised the current level of security testing. They have described multiple layers of ongoing, robust protection that meet—and in some cases exceed—federal standards. As Ms. Fryer put it during her interview, the agency is using “best practices above and beyond what is usually recommended.”

Finally—and most importantly—to date there have been no successful attacks against Healthcare.gov by domestic hackers, foreign entities, or others who seek to harm our national interests. Nobody’s personal information has been maliciously hacked.

Now, we need to be careful. Obviously, this could change given the increasing frequency and sophistication of attacks against all federal IT systems. But the evidence obtained by our Committee indicates that the security of Healthcare.gov is strong and keeps getting stronger.

In very stark contrast, up to 110 million Americans were subjected to one of the most massive information technology breaches in history when their credit, debit, and other personal information was compromised at Target stores and online in November and December.

Mr. Chairman, I sent you a letter on Tuesday requesting a hearing on the Target breach, and I understand you have agreed to have our staffs meet on this issue next week.

If our Committee can hold dozens of hearings on the Affordable Care Act and on Healthcare.gov—which has not been successfully attacked to date—surely we can hold at least one hearing on the massive Target breach that affected more than 100 million Americans.

Let me conclude by thanking the officials testifying here today. Dr. Charest, you have been pulling double-duty, providing multiple classified briefings to Congress in addition to your day job. Ms. Fryer, your name has been thrown around on the House floor, which I am sure is a first for you. And Mr. Baitman, after finishing a day-long interview less than 36 hours ago, you were handed a letter inviting you to testify here today.

I want you all to know that we appreciate everything you and your staffs are doing to remain vigilant and constantly monitor the security of the website. Millions of American families thank you for helping them. And I thank you for your service to your country.