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# Congress of the United States

## House of Representatives

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### Opening Statement Ranking Member Elijah E. Cummings

#### Hearing on "ObamaCare Implementation: The Rollout of Healthcare.gov" November 13, 2013

Thank you, Mr. Chairman. Good morning everyone, and welcome to our witnesses here today. I appreciate your service, and I thank you for your dedication to ensuring that millions of Americans who do not have health insurance will be able to obtain quality, affordable coverage going forward. This is an incredibly admirable goal, and I thank you for everything you are doing to make it a reality.

Unfortunately, not everyone in this room shares this goal. Republicans opposed the Affordable Care Act in 2009 and voted against providing health insurance to millions of Americans. Over the past three years, they have voted more than 40 times to repeal parts or all of the law and eliminate health insurance for people across the country.

Since they failed at these repeal efforts, they blocked requests for full funding to implement the law, forcing federal agencies to divert limited funds from other areas. Republican governors refused to set up state exchanges, forcing the federal government to bear more of the workload. And to make a political point against the ACA, Republican governors refused federal funds to expand their Medicaid programs to provide medical care for the poor, increasing the burden on their own state hospitals. To me, this is one of the most inexplicable actions I have ever witnessed from elected representatives against their own people.

After all of these efforts, House Republicans shut down the entire federal government for three weeks in October and threatened to default on our nation's debts unless we repealed the Affordable Care Act. Again, this effort failed.

Now they are attempting to use the congressional oversight process to scare Americans away from the website by once again making unsupported assertions about the risk to their personal medical information.

Let me be clear: The Centers for Medicare and Medicaid Services and its contractors failed to fully deliver what they were supposed to, and congressional oversight of those failures is absolutely warranted. But nobody in this room—nobody in this country—believes that Republicans want to fix the website.

For the past three years, the number one priority of congressional Republicans has been to bring down this law, and their goal has not changed. Today, they complain that their constituents are waiting too long on Healthcare.gov to sign up for insurance. But is their solution to fix the website? No, it's to repeal the Affordable Care Act and eliminate health insurance for millions of Americans. While repealing the ACA indeed would reduce waiting times on the website, it would increase waiting times in our nation's emergency rooms.

Mr. Chairman, over the past month, instead of working in a bipartisan manner to improve the website, you have politicized this issue by repeatedly making unfounded allegations. In my opinion, these statements have impaired the Committee's credibility. For example:

- On October 27, you went on national television and accused the White House of ordering CMS to disable the so-called "anonymous shopper" function in September for political reasons to avoid "sticker shock." That allegation is totally wrong. We have now reviewed documents and interviewed the CMS officials who made that decision, and it was based on defects in the contractor's work, not on a White House political directive.
- Last Thursday, you issued a press release with this blaring headline: "HealthCare.gov Could Only Handle 1,100 Users Day Before Launch." This claim is also wrong. You apparently based your allegation on a misinterpretation of the documents we received, which relate to a sample testing environment.
- Most troubling of all was your allegation against Todd Park, the Chief Technology Officer of the United States. You went on national television and accused him of engaging in a "pattern of interference and false statements." Mr. Park is widely respected by the technology community as honest and upstanding. In my opinion, your accusations denigrated his reputation with absolutely no legitimate basis. As I said in my letter to you on Monday, I believe your statements crossed the line, and I think you owe Mr. Park an apology, not a subpoena.

The unfortunate result of this approach is that we may miss an opportunity to do some good. Our Committee has done significant, substantive, and bipartisan work on federal IT reform. Under the leadership of both you and our Democratic information technology expert, Mr. Connolly, we passed last March the Federal Information Technology Acquisition Reform Act, which would increase the authority of agency CIOs and provide them with budget authority over federal IT programs, including hiring.

We should put politics aside; roll up our sleeves, and work together to constructively address these challenges. I hope that is what today's hearing will be about. And again, I thank our witnesses, who I know are working very hard to achieve these goals.

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