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Thomas A. Schatz
President

April 22, 2015

Senator Jim Risch
483 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Risch,

Tomorrow, you will have an opportunity to vote on Senate Small Business and Entrepreneurship Committee Chairman David Vitter's (R-La.) subpoena request to the D.C. Health Benefit Exchange Authority (HBX) for documents related to Congress's special exemption from the Affordable Care Act, better known as ObamaCare. On behalf of the more than 1.2 million members and supporters of the Council for Citizens Against Government Waste (CCAGW), I ask that you support the Vitter subpoena request.

As you know, in Section 1312 of ACA, it states, "Notwithstanding any other provision of law, after the effective date of this subtitle, the only health plans that the Federal Government may make available to Members of Congress and congressional staff with respect to their service as a Member of Congress or congressional staff shall be health plans that are, (I) created under this Act (or an amendment made by this Act); or (II) offered through an Exchange established under this Act (or an amendment made by this Act)."

Unlike average Americans that participate in an ObamaCare Exchange, members of Congress and their staff are able to obtain premium support subsidies even when their household income is above 400 percent of the federal poverty level. This occurred because the Office of Personnel Management created a special rule that allowed members and their staff to obtain health insurance benefits on the HBX as a small business. Participating in an ACA-created small business exchange allows employers to control coverage and help pay for their employee's premiums.

It is not clear to taxpayers how Congress suddenly became a small business; they deserve to understand exactly how this all came about. The subpoena will force the HBX to provide all un-redacted pages on Congress's application to utilize the exchange.

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Committee rules require that in order to issue a subpoena, both the chairman and ranking member must approve it or a majority of members must support the subpoena. Since Ranking Member Jeanne Shaheen (D-N.H.) opposes the subpoena, it will be up to you and your fellow Republican colleagues to support the chairman's efforts. Doing so will make the Obama administration's decision-making on this issue more transparent.

Sincerely,

A handwritten signature in black ink that reads "Thomas Schatz". The signature is written in a cursive, slightly slanted style.