

MAJORITY MEMBERS:

JOHN KLINE, MINNESOTA, *Chairman*

THOMAS E. PETRI, WISCONSIN
HOWARD P. "BUCK" McKEON, CALIFORNIA
JOE WILSON, SOUTH CAROLINA
VIRGINIA FOXX, NORTH CAROLINA
TOM PRICE, GEORGIA
KENNY MARCHANT, TEXAS
DUNCAN HUNTER, CALIFORNIA
DAVID P. ROE, TENNESSEE
GLENN THOMPSON, PENNSYLVANIA
TIM WALBERG, MICHIGAN
MATT SALMON, ARIZONA
BRETT GUTHRIE, KENTUCKY
SCOTT DesJARLAIS, TENNESSEE
TODD ROKITA, INDIANA
LARRY BUCSHON, INDIANA
TREY GOWDY, SOUTH CAROLINA
LOU BARLETTA, PENNSYLVANIA
MARTHA ROBY, ALABAMA
JOSEPH J. HECK, NEVADA
SUSAN W. BROOKS, INDIANA
RICHARD HUDSON, NORTH CAROLINA
LUKE MESSER, INDIANA



COMMITTEE ON EDUCATION
AND THE WORKFORCE
U.S. HOUSE OF REPRESENTATIVES
2181 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6100

MINORITY MEMBERS:

GEORGE MILLER, CALIFORNIA
Senior Democratic Member
ROBERT E. ANDREWS, NEW JERSEY
ROBERT C. "BOBBY" SCOTT, VIRGINIA
RUBÉN HINOJOSA, TEXAS
CAROLYN MCCARTHY, NEW YORK
JOHN F. TIERNEY, MASSACHUSETTS
RUSH HOLT, NEW JERSEY
SUSAN A. DAVIS, CALIFORNIA
RAÚL M. GRIJALVA, ARIZONA
TIMOTHY H. BISHOP, NEW YORK
DAVID LOEBSACK, IOWA
JOE COURTNEY, CONNECTICUT
MARCIA L. FUDGE, OHIO
JARED POLIS, COLORADO
GREGORIO KILILI CAMACHO SABLAN,
NORTHERN MARIANA ISLANDS
JOHN A. YARMUTH, KENTUCKY
FREDERICA S. WILSON, FLORIDA
SUZANNE BONAMICI, OREGON

November 1, 2013

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

Dear Secretary Sebelius:

We understand worker centers have received federal taxpayer grants under the *Patient Protection and Affordable Care Act* (PPACA) to serve as navigators. Accordingly, we are investigating the funding and activities of worker centers. To further this investigation, we ask you to provide information, documents, and communications relating to PPACA grants awarded to worker centers.

Under section 1311 of PPACA, entities with an existing relationship, or those that could readily establish a relationship, with employer and employees, consumers, or self-employed individuals likely to be qualified to enroll in a qualified health plan may receive grants to serve as a navigator.¹ Among other things, navigators are expected to conduct public education activities to raise awareness of the availability of qualified health plans and facilitate enrollment in qualified health plans.² Information made available by navigators must be fair, accurate, and impartial.³

According to news articles, at least two worker centers, the Restaurant Opportunities Center (ROC) and the Retail Action Project (RAP), have received PPACA grants to serve as navigators.⁴ Traditionally, "worker centers" are defined as "community-based and community-led organizations that engage in a combination of service, advocacy, and organizing to provide support to low-wage workers."⁵ In most cases, worker centers are non-profit organizations incorporated under section 501(c)(3) of the tax code that provide "information and training in workers' rights, employment, labor and immigration law, legal

¹ Pub. L. No. 111-148 § 1311 (March 23, 2010).

² *Id.*

³ *Id.*

⁴ *Obamacare's Unsavory Navigators*, The Daily Caller (October 16, 2013), available at <http://dailycaller.com/2013/10/16/obamacares-unsavory-navigators/>.

⁵ Fine, Janice, *Worker Centers: Organizing Communities at the Edge of the Dream*, Economic Policy Institutes (December 13, 2005) available at <http://www.epi.org/publication/bp159/>.

The Honorable Kathleen Sebelius

November 1, 2013

Page 2

services, the English language, and many other programs.”⁶ However, they have also taken direct action to alter conditions of employment and organize employees.⁷

Understanding how worker centers are using federal taxpayer grants is essential to our ongoing investigation. Please contact staff to schedule a briefing and provide the following no later than November 18, 2013:

1. Identify each non-profit organization incorporated under section 501(c)(3) of the tax code that has applied or received a PPACA grant to serve as a navigator under section 1311 of PPACA;
2. The grant application for each non-profit incorporated under section 501(c)(3) of the tax code that has applied for a PPACA grant to serve as a navigator under section 1311 of PPACA;
3. All documents and communications provided to navigators relating to their duties, responsibilities, and limitations as navigators;
4. All documents and communications relating to the policing and training of navigators, including ensuring fair, accurate, and impartial information;
5. All documents and communications relating to policing and training of navigators and procedures to protect the privacy of information collected from individuals and employers, including any restrictions on the use of such information; and
6. All documents and communications relating to the awarding of PPACA grants to non-profit organizations incorporated under section 501(c)(3) of the tax code.

If you have any questions regarding this request or to schedule the briefing, please contact Marvin Kaplan or Joe Wheeler, Committee on Education and the Workforce, at (202) 225-7101.

Sincerely,



JOHN KLINE
Chairman
Committee on Education and the Workforce



PHIL ROE, M.D.
Chairman
Subcommittee on Health, Employment,
Labor, and Pensions

Enclosure

cc: The Honorable George Miller, Senior Democratic Member, Committee on Education and the Workforce

⁶ *Id.*

⁷ *Id.*