

FRED UPTON

6TH DISTRICT, MICHIGAN

COMMITTEE ON ENERGY AND COMMERCE

SUBCOMMITTEES:

ENERGY AND ENVIRONMENT
RANKING REPUBLICAN MEMBER
COMMUNICATIONS, TECHNOLOGY,
AND THE INTERNET



Congress of the United States
House of Representatives

October 15, 2010

The Honorable Katherine Sebelius
Secretary
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Secretary Sebelius:

It has been reported that the Department of Health and Human Services (HHS) has spent upwards of \$3 million in advertisements promoting perceived benefits associated with the Patient Protection and Affordable Care Act (PPACA) raises serious red flags. These advertisements go above and beyond the scope of being purely informational, and appear to be a desperate attempt to simply prop up endangered candidates for supporting an unpopular law during the general election season.

As reported in the October 15th edition of *Politico*, many of these advertisements specifically tout perceived benefits of the law, and are skewed toward specific demographic groups and regions of the country. For example, in one of the advertisements, actor Andy Griffith states "That new health care law sure sounds good for all of us on Medicare," and "good things are coming" as a result of the law. Furthermore, the report states that, in addition to national cable purchases, these advertisements have been purchased on network television in specific, targeted regions of the country. It is no secret that the majority of people nationwide have a negative perception of PPACA. Behind the thin veil of raising public awareness, these advertisements are simply serving political ends.

Division D, Section 720 of Public Law 111-8, the Omnibus Appropriations Act of 2009, specifically states the following:

Sec. 720. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

It is my belief that these advertisements violate both the letter and the spirit of this regulation. At a time when most Americans are looking for greater transparency and accountability in their government, such a breach of their trust is unconscionable.

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FAX: (202) 225-4986

MICHIGAN HOME OFFICES:

157 SOUTH KALAMAZOO MALL
SUITE 180
KALAMAZOO, MI 49007
(269) 385-0039
FAX: (269) 385-2888

800 CENTRE, SUITE 106
800 SHIP STREET
ST. JOSEPH, MI 49085
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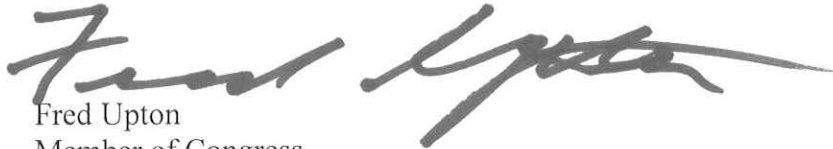
E-MAIL: tellupton@mail.house.gov

In light of these points, I would ask that you provide the following items:

1. An exact budget outlining taxpayer expenditures on these specific advertisements;
2. A list of consultants, vendors and other outside firms used in the creation, purchase and implementation of the advertisements;
3. A copy of all e-mails and other written communication relating to the advertising campaign; and
4. An account of the specific media markets where the advertisements are being run, including a justification on why those specific markets were chosen.

Thank you for your prompt attention to this matter.

Sincerely,



Fred Upton
Member of Congress