



March 19, 2010

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

The Honorable John Boehner  
Republican Leader  
U.S. House of Representatives  
Washington, DC 20515

Dear Speaker Pelosi and Republican Leader Boehner:

I write to share the strong opposition of the National Retail Federation (NRF) to the rule for consideration of H.R. 4872, "the Health Care and Education Reconciliation Act of 2010." Please note that **NRF will consider votes on the rule, both underlying bills and related procedural motions as Key Retail Votes for our voting scorecard.**

The vote on the rule to consider H.R. 4872 is also a vote to pass H.R. 3590, the "Patient Protection and Affordable Care Act," passed by the Senate on December 24, 2009. NRF key voted against the Senate bill on December 18, 2009. We continue to strongly oppose H.R. 3590 for, among other reasons: its lack of greater and more immediate cost savings for employer-sponsored coverage; the conditional mandate penalties for full-time employees; and higher taxes that will pass through to both employers and consumers. H.R. 4872 makes some positive changes to the Senate-passed bill – for example, removing the penalties for waiting periods between 60 and 90 days – but also greatly increases employer penalties and counts part-time employees in coverage threshold calculations.

We are also troubled by the extraordinary procedure by which this legislation is proposed to be considered. "Deeming" legislation (H.R. 3590) of this magnitude passed without a direct vote will further tarnish Congress' reputation and likely will draw future legal challenge. We will count the vote on the rule to consider H.R. 4872 as a key vote on H.R. 3590 despite the transparent procedural ploy.

NRF has worked tirelessly to promote effective health care reforms that would lower the cost of medical care and expand access to coverage. We are disappointed by the direction of the Congressional debate, particularly its punitive focus against employers. It is an economic certainty that if labor costs significantly increase, retailers – who operate on razor thin profit margins – will have no choice but to reduce the size of their workforces. This is an outright tax on jobs, a dangerous strategy when our economy so clearly needs to grow through job creation. Health care reform in its current form will become the biggest anti-stimulus legislation imaginable.

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The National Retail Federation will continue to seek comprehensive health care reform that will help the retail industry to voluntarily provide high quality health coverage to our employees in a more affordable and cost effective manner. We remain ready to work with you and other lawmakers toward building true bipartisan comprehensive health care reform once this debate concludes.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Pfister". The signature is fluid and cursive, with the first name "Steve" written in a larger, more prominent script than the last name "Pfister".

Steve Pfister  
Senior Vice President  
Government Relations

cc: Members of the U.S. House of Representatives