



UNITED STATES HOUSE COMMITTEE ON
WAYS & MEANS
REPUBLICAN LEADER KEVIN BRADY

***Brady, Buchanan Warn Biden Admin Against Destroying
Key Documents on Unilateral Rewrite of Obamacare***

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🕒 October 20, 2022 - PRESS
RELEASE

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With the price of health insurance [jumping 30 percent](#) and the Biden Administration's decision to [unilaterally rewrite](#) Obamacare, key documents underpinning the move must not be destroyed prior to being turned over to Congress, write top House Ways and Means Republicans.

Ways and Means Republican Leader **Rep. Kevin Brady (R-TX)** along with Health Subcommittee Republican Leader **Rep. Vern Buchanan (R-FL)** wrote a [letter](#) urging the Treasury Department to preserve records of how this Administration justifies violating a decade of legal implementation of the law and to produce them in response to their longstanding request.

In the letter, the members write:

"The lack of a sufficient response from the Administration to date is disappointing and unacceptable. Transparency is essential because it promotes accountability and provides information for the Congress and Americans about what the federal government is doing. The American people deserve to know how their government works and how decisions are being made.

"This is especially critical when the Administration makes a unilateral policy decision without congressional action, and the

expected impacts of such a policy are so severe. For example, it has been estimated that about 90 percent of the roughly five million people affected by this illegal expansion already have health insurance coverage. **Even worse, it is projected the rule displaces private sector health care spending with a potential increase of \$34 billion over 10 years in government spending."**

[Read the full letter here.](#)

KEY TAKEAWAYS:

The Biden Administration Unilaterally & Illegally Rewrote Obamacare.

- President Biden has illegally changed the enacted law through regulatory action, without an act of Congress.
- Despite pressure from Democrats to make changes to Obamacare after passage, the Obama Administration determined that it lacked the authority to do so, which is consistent with both the statutory text and the nonpartisan Joint Committee on Taxation's (JCT) analysis of the law.
- Along with the Obama Treasury Department, 51 congressional Democrats agreed that Congress must legislate in order to change eligibility rules.

READ: [Biden Admin Violates Obamacare Law While Ignoring Rising Health Care Costs](#)

Republicans Called for Transparency in How the Administration Justified Rewriting the Law.

- Obamacare's legislative text makes clear that employees with affordable coverage (as defined in the law) should not receive federal subsidies to cover dependents.
- Ways and Means Subcommittee on Health Republican Leader Rep. Vern Buchanan (R-FL) [offered](#) a resolution of inquiry seeking records of how the White House justifies violating a decade of legal implementation of the law – but Democrats rejected the resolution.
- The Administration also [ducked meetings](#) with stakeholder groups who felt that the proposed rule should be withdrawn "because it is an impermissible reading of the statute and bad policy."

READ: [Brady: Biden's Illegal Rewrite of Obamacare Worsens Inflation, Ignores Clear Legal Guidance](#)

READ: [Brady, Crapo: White House is Illegally Rewriting Obamacare](#)

Illegally Rewriting Obamacare Without Congress Shows Democrats Know It's Broken & Will Do Nothing to Address High Health Care Costs.

- The [cost of health insurance shot up](#) at the highest rate in history – nearly 30 percent in the last year.
- Instead of working across the aisle to lower the true cost of health care, the Biden Administration has continued to fuel higher premiums with increased and expanded subsidies.
- The average price paid for health insurance (“premiums”) jumped by 143 percent between 2013 and 2019.
- At the same time that premiums more than doubled in the individual market, deductibles for ACA-compliant coverage also [increased](#) by an average of 35 percent — over \$1,700 for individuals and \$3,600 for families.
- Over 10 years, spending on health care per person [increased](#) by 28.7 percent.

READ: [Fact Check: With Inflation Raging, Democrats Celebrate with Misleading Claims on Rising Health Care Costs](#)

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