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# Jason Smith's Capitol Report - Friday, March 25, 2016

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## **Congressman Jason Smith Capitol Report: Obamacare's Unhappy 6th Birthday Friday, March 25, 2016**

Six years ago last Wednesday, Obamacare was signed into law. Since then, the Administration has intentionally broken the law to hide the laws failure.

Let me be clear, the Administration violated the U.S. Constitution and paid insurance companies money illegally. The Constitution states; the President “shall take Care that the Laws be faithfully executed...” The President does not write the laws, and he has no authority to spend money without Congressional approval. Despite that fact, the Administration paid off insurance companies, because they are losing money by participating in Obamacare, with so-called cost sharing reduction payments that clearly violate the framework of our Constitution.

The non-partisan Government Accountability Office (GAO) has plainly stated that laws like the Affordable Care Act do not have the authority to allocate taxpayer resources, only Congress can do that during the annual budget process. In other words, the President's

attempts to circumvent Congress and spend taxpayer funds in support of Obamacare are illegal. The Administration knows this. President Obama's budget request for fiscal year 2014 requested an appropriation of \$4 billion for cost sharing reduction payments. The Republican Congress denied that appropriation, but the Administration ignored Congress and paid insurance companies nearly \$3 billion in 2014, and continues to make these payments.

As a result, the U.S. House of Representatives filed a lawsuit, with my support, against the Department of Health and Human Services to challenge their illegal implementation of Obamacare. On October 19, 2015 a federal judge agreed with the House of Representatives that we have the legal right to challenge the Administration for spending money that wasn't approved to be spent by Congress. The lawsuit is still pending, but I am encouraged that the Court will agree that the Obama Administration broke the law because it's clear as daylight. No matter the outcome, I will continue to vote to repeal Obamacare and end the negative impacts from this fundamentally flawed law. Since I have been sworn into office, the American peoples' overwhelming disapproval of Obamacare has convinced the President to sign nine major repeals or delays of his namesake law, and earlier this year we put a major repeal bill on the President's desk. He vetoed our repeal bill, and that's why our work is yet to be complete.

In order to address the flaws of the failed health care law, Speaker Ryan engaged the Republican Conference and challenged us to become the House of ideas. We formed a task force on health care reform to develop and promote bold conservative ideas to fix our broken health care system. Our solutions will modernize American health care with patient-centered answers that improve access, choice, and quality, lower costs, and promote innovation. Our plan doesn't put the government in between you and your doctor and allows the fundamentals of free market and competition to improve the access to affordable care in this country. It's time to remove the government from interfering in your health care decisions and time to stop rewarding insurers with a taxpayer bailout.

I look forward to working with my colleagues and a republican White House in 2017 to finally repeal the horrible Obamacare law and replace it with a common-sense plan that improves the American health care system without government control. Hopefully next year we will be celebrating the bill signing of a conservative measure to put you and your families healthcare first, not the federal government.

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