

June 10, 2016

The Honorable Thad Cochran  
Chairman  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

The Honorable Barbara Mikulski  
Vice Chairwoman  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

The Honorable Roy Blunt  
Chairman  
Subcommittee on Labor, Health and Human  
Services, Education and Related Agencies  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

The Honorable Patty Murray  
Ranking Member  
Subcommittee on Labor, Health and Human  
Services, Education and Related Agencies  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

Dear Chairman Cochran, Vice Chairwoman Mikulski, Chairman Blunt and Ranking Member Murray:

As you finalize the Fiscal Year 2017 appropriations measure for the Departments of Labor, Health and Human Services, Education, and Related Agencies, we write to urge you to maintain budget neutrality in ObamaCare's "risk corridor" program.

As you know, Section 1341 of the Affordable Care Act established the risk corridor program with the intent of providing financial protection to health insurers that offered plans in the ObamaCare marketplace. However, in addition to the harm this disastrous law has placed on Americans, the Obama Administration has made clear its desire to use \$2.5 billion in taxpayer dollars to bailout insurance companies through the risk corridors program.

Thanks to Republicans in both chambers of Congress, and despite immense pressure and lobbying from health insurance companies, spending legislation for the last two years has included a restriction on the risk corridor program that only allows funds to be paid out of the program that have been paid in to the program, thus making the risk corridor program budget neutral. This provision must also be included in this year's appropriations measure to continue protecting American taxpayers from bailing out health insurers because of the failures of ObamaCare.

As more shortcomings of this catastrophic health care law are coming to light, we must remain steadfast in not allowing the Obama Administration to further harm individuals who have already been burdened with rising premiums, forced to change doctors, or have hours at their jobs reduced in order to fill the coffers of big insurance companies.

Since there are numerous instances of questionable legal provisions in ObamaCare, we must make clear the Obama Administration does not have the authority to use funds outside of the risk corridor program to bail out insurers. We also urge you to eliminate or limit the ObamaCare reinsurance program, which the Obama Administration has also used to illegally bail out insurers before depositing funds to the Treasury Department, as it is statutorily required to do.

Thank you for your consideration of our request to continue protecting taxpayers from the failures of ObamaCare and siding with the American people over big health insurance companies.

Sincerely,

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Marco Rubio  
United States Senator