



June 14, 2016

The Honorable Mark Walker  
United States House of Representatives  
312 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Walker,

**I write in support of the “Taxpayers Before Insurers Act,” legislation to stop the Obama administration from illegally bailing out insurance companies through redirecting taxpayers funds to the Obamacare reinsurance slush fund.** ATR urges all members of Congress to support and co-sponsor this legislation to prevent a taxpayer bailout of Obamacare insurance companies.

This pro-taxpayer legislation forces the Obama Department of Health and Human Services to obey the law and return billions in funds to their rightful owner – the American people. **If they fail to do so, it is only right that Congress strips the agency of funding, as your legislation calls for.**

Earlier this year, HHS announced it would pay Obamacare insurance companies \$7.7 billion through the reinsurance program – \$6 billion obtained from a fee on private health insurance and \$1.7 billion taken from the Treasury general fund. Because HHS did the same last year, this means a total of \$3.5 billion has been stolen from taxpayers using the reinsurance program.

**This decision clearly violates federal law.** [Section 1341](#) of Obamacare, which establishes reinsurance, explicitly allocates taxpayer dollars that “shall be deposited into the general fund of the Treasury of the United States and may not be used for the [reinsurance] program established under this section.”

A memo [released](#) by analysts at the nonpartisan Congressional Research Service found that federal law “unambiguously” states funds must be deposited into the Treasury general fund. Similarly, former White House Counsel C. Boyden Gray [called](#) the diverting of funds “unlawful” and questioned how it could possibly withstand legal scrutiny.

This is just one of many cases where the federal government has utilized wasteful or illegal subsidies and payments to keep Obamacare afloat. In the past few years, the government has [stolen](#) a total of \$8.5 billion in taxpayer dollars to illegally fund Obamacare through programs like reinsurance, and the law has provided more than \$170 billion in [corporate welfare payments](#) to special interests.

**The \$3.5 billion in Obamacare reinsurance corporate welfare payments are merely the latest effort by the administration to ignore the law to the benefit of monied special**

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**interests.** Members of Congress should have no hesitation supporting your important, pro-taxpayer legislation and recovering billions in illegal slush fund payments.

Onward,

A handwritten signature in black ink, appearing to read 'G. Norquist', written in a cursive style.

Grover G. Norquist  
President, Americans for Tax Reform