

United States Senate

WASHINGTON, DC 20510

December 19, 2018

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Ave NW
Washington, DC 20500

Dear President Trump:

We are writing to express our serious concerns with the December 14th decision by the U.S. District Court for the Northern District of Texas in the matter of *Texas v. United States* and to reiterate our strong objection to the Department of Justice's refusal to defend the law of the land.

Judge O'Connor's decision wrongly declares the individual mandate unconstitutional and in severable from the remainder of the Affordable Care Act (ACA). This decision is not just legally unsound, it is inhumane and cruel.

If the ruling stands, nearly every American's health care will be affected. The 20 million people who receive insurance coverage through the ACA will be left without the coverage they desperately need. Furthermore, 133 million Americans with pre-existing conditions will be at risk of losing access to treatment. And millions of families, women, seniors, and people with low incomes will see their health care costs rise. It is no exaggeration to say that, if upheld, this decision is a matter of life and death to many Americans. We urge you to reverse course and direct the Department of Justice to defend the law of the land and pursue a stay of this decision.

It is not too late for you to condemn this decision by requesting a stay and taking steps to defend the Affordable Care Act moving forward. The ACA is, quite simply, the law of the land, and it is your Administration's duty to defend it. Further, even among the numerous, failed attempts to repeal the ACA, there was widespread recognition that simply repealing the law without a replacement would be too devastating to American families and to our economy to fathom. Yet that is exactly what this ruling, if upheld, would do.

The human cost of this decision is profound. As mentioned above, tens of millions of Americans covered in the law's Health Insurance Marketplaces and by Medicaid expansion will lose their insurance, and tens of millions more with health conditions from cancer to heart disease, pregnant women, and people with costly prescriptions could lose access to care or have to pay significantly more for it. It is also alarming that in the midst of the devastating opioid epidemic, millions of Americans suffering from substance use disorders would lose access to the treatment that they need to recover. But it does not stop there. Health care makes up over one-sixth of our economy: the uncertainty for health care providers created by the dramatic upheaval that this decision will inevitably cause will have a substantial economic impact on families, rural hospitals and clinics, businesses, state governments, and more.

Americans need you to work with us to defend their access to quality, affordable health care. We can work together to improve our health care system and reduce costs, but we must not let this flawed court decision stand and devastate millions of American families both physically and financially.

The fight for our health care in the case of *Texas v. United States* is not over. We urge you and the DOJ to immediately request a stay of this order and to uphold the rule of law by defending the constitutionality of current law. Millions of Americans are relying on you.

Sincerely,



Joe Manchin III
United States Senator



Charles E. Schumer
United States Senator



Patty Murray
United States Senator



Ron Wyden
United States Senator



Doug Jones
United States Senator



Thomas R. Carper
United States Senator



Tammy Baldwin
United States Senator



Sheldon Whitehouse
United States Senator



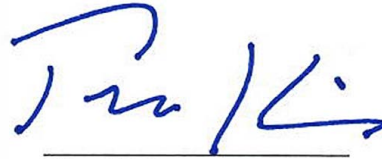
Catherine Cortez Masto
United States Senator



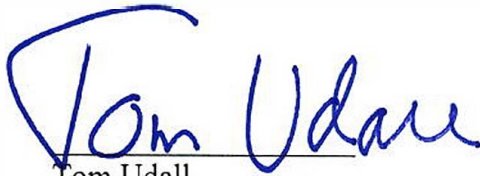
Kamala D. Harris
United States Senator



Sherrod Brown
United States Senator



Tim Kaine
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Tom Udall
United States Senator



Edward J. Markey
United States Senator



Bill Nelson
United States Senator



Richard J. Durbin
United States Senator



Richard Blumenthal
United States Senator



Kirsten Gillibrand
United States Senator



Jeanne Shaheen
United States Senator



Jack Reed
United States Senator



Christopher A. Coons
United States Senator



Chris Van Hollen
United States Senator



Bernard Sanders
United States Senator



Benjamin L. Cardin
United States Senator



Patrick J. Leahy
United States Senator



Maria Cantwell
United States Senator



Debbie Stabenow
United States Senator



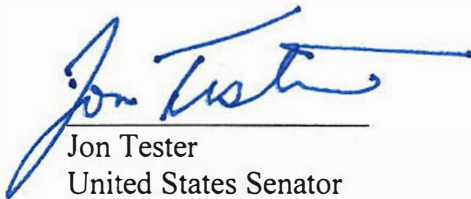
Martin Heinrich
United States Senator



Amy Klobuchar
United States Senator



Tina Smith
United States Senator



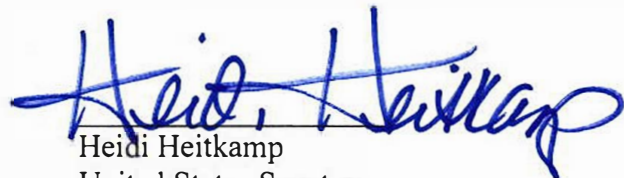
Jon Tester
United States Senator



Claire McCaskill
United States Senator



Mazie K. Hirono
United States Senator




Heidi Heitkamp
United States Senator



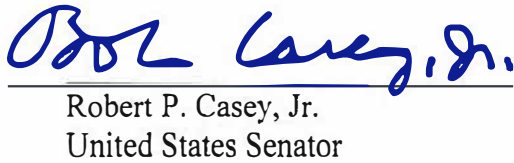
Jeffrey A. Merkley
United States Senator

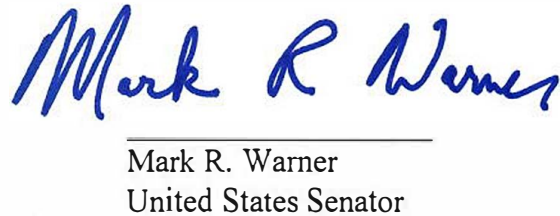


Elizabeth Warren
United States Senator

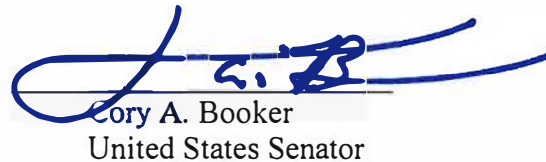

Joe Donnelly
United States Senator


Brian Schatz
United States Senator


Robert P. Casey, Jr.
United States Senator


Mark R. Warner
United States Senator


Michael F. Bennet
United States Senator

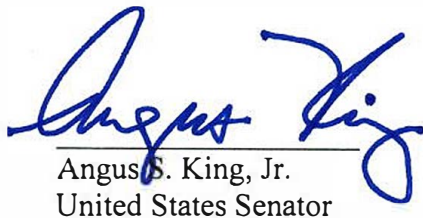

Cory A. Booker
United States Senator

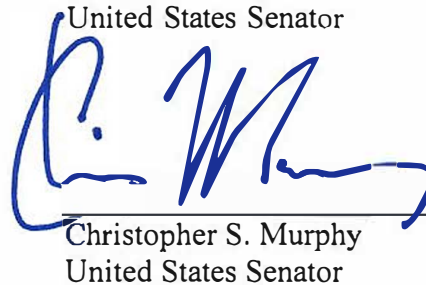

Gary C. Peters
United States Senator


Dianne Feinstein
United States Senator


Robert Menendez
United States Senator


Margaret Wood Hassan
United States Senator


Angus S. King, Jr.
United States Senator


Christopher S. Murphy
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Tammy Duckworth
United States Senator