

Democrats Sue to Force President Trump to Break the Law and Ignore a Court Order

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Late Thursday, the White House announced that it was ending payment of subsidies to insurers to reduce the costs of health insurance policies sold to above-poverty-line customers. A federal judge had already stopped the program, ruling in response to a lawsuit filed by the House of Representatives, that the payments were illegal as they had not been appropriated by Congress. In fact, the payment of the subsidies is a felony as it violates the Anti-Deficiency Act that forbids an executive department from spending money in a way not directed by Congress. The administration went to court, immediately following the announcement, and told the judge that payments had been halted.

Now the attorneys general of eighteen states and the District of Columbia announced a lawsuit yesterday to force payment of the subsidies:

A coalition of 19 attorneys general — representing 18 states and the District of Columbia — filed a lawsuit in the US District Court for the Northern District of California that accuses the Trump administration of violating the sections of the Affordable Care Act that require the subsidies, as well as other federal law.

“It’s well past time that President Trump learns that he doesn’t just get to pick and choose which laws he’ll follow or which bills he’ll pay,” California Attorney General Xavier Becerra said on a call with reporters. “Just because he’s in the White House doesn’t mean he can make those decisions.”

The White House announced on Thursday night that the federal government would stop making the payments, known as cost-sharing reductions, or CSRs, which help insurers cover the cost of providing less expensive health insurance plan options. The Justice Department said in court papers on Friday that the government would not make payments scheduled for Oct. 18.

The states and the District are asking the court for immediate action to force the administration to continue making the payments. They’re claiming violations of the Administrative Procedure Act, arguing that the Affordable Care Act requires the payments and that the administration failed to articulate a clear reason for stopping them now.

The lawsuit also alleges that the Trump administration is “deliberately seeking to undermine, rather than faithfully execute” the Affordable Care Act, in violation of a section of the US Constitution that requires the president to “take Care that the Laws be faithfully executed.”

“The Administration’s new refusal to make the required federal payments directly subverts the ACA, and will injure the Plaintiff States, their residents, and the entire healthcare system,” the attorneys general wrote.

This is so bizarre that one can only attribute it to a continuing worship of Obama by a large part of the Democrat party. The facts are very simple. Congress never appropriated the money. A court ordered the subsidies to stop. Trump stopped the subsidies. This is how things are really supposed to work. The idea that a president can be sued with the objective of making him break the law is so outrageous that one wonders if “support and defend the Constitution of the United States” really has any meaning to the Democrat party.