

Congress of the United States
Washington, DC 20515

March 24, 2022

Dear President Biden:

We applaud your Administration's unwavering commitment to lowering the cost of health care, expanding Americans' access to health insurance, and strengthening the *Affordable Care Act (ACA)*. Consistent with your leadership on health care affordability, we urge the Treasury Department to finalize a regulation ahead of Open Enrollment this year that will fix the "family glitch." This glitch has made coverage unaffordable for more than 5 million Americans, most of whom are children.

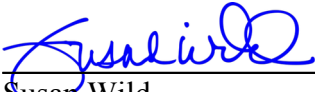
As you know, the "family glitch" results from an Internal Revenue Service (IRS) regulation implementing the *ACA* that defines "affordable" in a way that bars many low- to moderate-income families from receiving financial assistance through the Marketplace. The IRS determines individuals' eligibility to purchase affordable plans on the Marketplace not solely by income but also by whether the individual has access to affordable employer-sponsored insurance. Under the regulation, the IRS deems employer coverage as affordable for the entire family if the individual employee's share of the premium does not exceed 9.8 percent of the family's household income.

Unfortunately, the IRS definition of "affordable" does not recognize that coverage for families is significantly more expensive than coverage for individuals. In 2021, the average annual premiums for employer-sponsored health insurance were \$7,739 for individual coverage and \$22,221 for family coverage. Despite these dramatically higher costs, the IRS definition prevents these family members from accessing premium tax credits through the *ACA* Marketplace, causing affected families to spend more for their health insurance than families with similar income that access insurance through the *ACA* Marketplace.

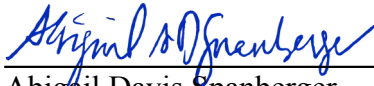
Most of those excluded by this policy are children under the age of 18 whose families earn too much to qualify for the Children's Health Insurance Program (CHIP). Among adults harmed by this policy, the majority are women. If your Administration fixes the family glitch, these kids and their families could qualify for lower health insurance premiums on the *ACA* Marketplace.

Barring families from accessing more affordable coverage was not Congress's intention when it passed the *Affordable Care Act*. We urge you to take quick and decisive action to fix the family glitch and lower costs for more than 5 million Americans, including many children.

Sincerely,



Susan Wild
Member of Congress



Abigail Davis Spanberger
Member of Congress



Angie Craig
Member of Congress



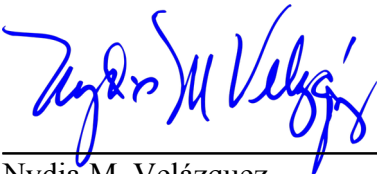
Katie Porter
Member of Congress



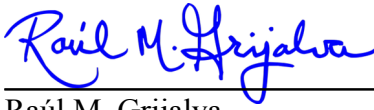
Eleanor Holmes Norton
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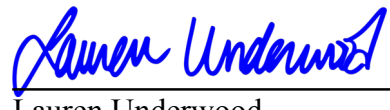
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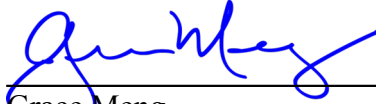
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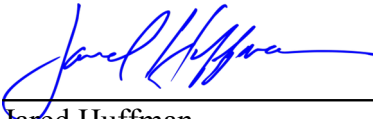
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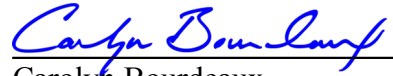
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