

[NOT YET SCHEDULED FOR ORAL ARGUMENT]

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

UNITED STATES HOUSE OF
REPRESENTATIVES,

Plaintiff-Appellee,

v.

SYLVIA M. BURWELL, Secretary of Health &
Human Services; U.S. Department of Health &
Human Services; JACOB J. LEW, Secretary of
the Treasury; U.S. Department of the Treasury,

Defendants-Appellants.

No. 16-5202

STATEMENT OF ISSUES TO BE RAISED

Defendants expect to raise the following issues:

1. Whether this suit should be dismissed for lack of standing and lack of a cause of action.
2. Whether the Executive Branch has permissibly determined that the relevant provisions of the Patient Protection and Affordable Care Act provide a permanent appropriation for both components of Act's health-insurance subsidy program, including the cost-sharing component of that program.

s/ Alisa B. Klein

Alisa B. Klein

Counsel for Appellants

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2016, I electronically filed the foregoing document with the Clerk of this Court by using the appellate CM/ECF system. The participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

s/ Alisa B. Klein
Alisa B. Klein