

IMMEDIATE PRESS RELEASE:

UTAH PATRICK HENRY CAUCUS UNANIMOUSLY SUPPORTS A LAWSUIT AGAINST THE FEDERAL GOVERNMENT IN ORDER TO STOP THE FEDERAL HEALTH CARE BILL

Leading state sovereignty caucus strongly opposes the federal health care bill and supports lawsuits based on two violations of the U.S. Constitution.

The Patrick Henry Caucus adopted a unanimous position Wednesday, December 23, 2009, to oppose the Health Care Reform Bills, and to support a lawsuit against the federal government in order to stop the national health care bill from becoming law.

Calling the law unconstitutional, The Patrick Henry Caucus, which is comprised of legislators from both the Utah House of Representatives and the Utah Senate, vows to fight the federal law on multiple fronts. The Patrick Henry Caucus has an opt-out provision drafted and ready for presentation to the Utah Legislature next month. The opt-out would make it illegal for Utah agencies to implement any portion of the new federal law. The Caucus is calling on the State of Utah to join in with other States and take the lead on filing a lawsuit to stop the bill, should it receive final approval.

The Caucus believes the law is unconstitutional in at least two respects. First, the law unfairly gives preferential treatment to residents of Nebraska as a result of efforts by Senate Democrats to court the vote of Nebraska Senator Ben Nelson. The Caucus believes that this preferential treatment violates principles of due process and equal protection and is therefore unconstitutional under the Fifth and Fourteenth Amendments.

Second, the law amounts to an excess of Congress's enumerated powers inasmuch as it requires every American to acquire health insurance. This legislation marks the first time in history that Congress has required every single American to purchase a particular good or service, and cannot be reconciled with the notion that Congress possesses only those limited powers granted by the Constitution.

The Patrick Henry Caucus calls on the leaders from all States to join in the effort to file a lawsuit against the federal government in order to stop this wrongheaded piece of legislation. We must not allow

Congress to commandeer one sixth of our nation's fragile economy while simultaneously undermining the authority of the States.