



PACIFIC LEGAL FOUNDATION

Rescuing Liberty From Coast to Coast

PLF brief to Supreme Court targets federal health-insurance mandate

SACRAMENTO, CA; February 13, 2012: Pacific Legal Foundation, the National Tax Limitation Committee, and the Cato Institute, along with a number of other pro-freedom organizations, today urged the U.S. Supreme Court to strike down the individual mandate provision of the new federal health care law.

In an amicus brief, the organizations contend that the mandate — requiring virtually every American who is not covered by an employer to buy government-dictated health insurance — exceeds Congress' authority under the Constitution's Commerce Clause.

"The individual mandate represents an unprecedented expansion of federal power," explained PLF Principal Attorney Timothy Sandefur, who co-authored the brief. "The Constitution does not give Congress the power to force people to buy or sell things. If the mandate is upheld, the door will be open to all kinds of economic mandates, with D.C. bureaucrats dictating our most personal decisions."

Today's filing is the eleventh brief that PLF attorneys have filed in various cases challenging the individual mandate. "PLF is the most active organization in the country opposing the individual mandate," said Sandefur, who was recently named an Appellate Lawyer of the Week by the National Law Journal's Tony Mauro in recognition of his work on this issue. "We've filed more briefs in more courts nationwide than any other organization involved in the health care lawsuits."

PLF also represents Iowa small-business owner Matt Sissel in a lawsuit against the mandate. That case has been stayed pending the Supreme Court's decision.

PLF is joined by renowned taxpayer champion

Along with other freedom-oriented groups, PLF is joined on the Supreme Court brief by the California-based National Tax Limitation Committee (NTLC), one of the nation's oldest and

most strategically oriented pro-taxpayer/entrepreneur organizations. Established in 1975, NTLC grew out of the work that Founder and President Lew Uhler, in alliance with then-California Governor Ronald Reagan, undertook to devise strategies to control the size and growth of government. As Uhler noted, “NTLC’s mission is to limit and control taxes and spending, so as to enhance the power and freedom of individuals and their enterprises. We are pleased to be working, once again, in concert with PLF to further that mission. The objective here, of getting the health insurance mandate recognized as unconstitutional, not only advances liberty but will help terminate this bloated, overreaching, and budget-breaking federal program.”

Some of the other organizations on the brief include: Cato Institute; Competitive Enterprise Institute; Committee for Justice; Arkansas Policy Foundation; Commonwealth Foundation (Pennsylvania); Montana Policy Institute; North Carolina Institute for Constitutional Law; and Texas Conservative Coalition Research Institute.

The case is [Department of Health & Human Services v. Florida](#). The Supreme Court has announced that it will hear oral arguments in the case over three days, March 26-28. [PLF’s amicus brief](#), and other information, may be found at PLF’s website: www.pacificlegal.org.

About Pacific Legal Foundation

Donor-supported Pacific Legal Foundation is the leading watchdog organization that litigates for limited government and free enterprise, in courts across the country.

PLF attorneys are currently before the U.S. Supreme Court in a high-profile challenge to overreaching government regulations, [Sackett v. EPA](#). Oral argument was held on January 9, and a decision is expected in spring or early summer. This is the seventh time in our history that a PLF case for liberty and limited government has been heard at the nation’s highest court.