

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL
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March 26, 2010

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The Honorable Dwight Evans
Pennsylvania House of Representatives
Majority Chairman, Committee on Appropriations
Room 512-E Main Capitol Building
Harrisburg, PA 17120-2020

Dear Chairman Evans:

This letter will acknowledge your comments of March 24, 2010 and the letter of Senator Daylin Leach regarding my decision to join Florida and 12 other states in challenging the constitutionality of the Patient Protection and Affordable Care Act. Attached, please find a copy of the lawsuit that was filed on March 23, 2010 in the Northern District of Florida.

You and I both agree that we must develop effective solutions to improve Pennsylvanians' access to quality healthcare. However, we have differing perspectives on the constitutionality of this Act. Let me be perfectly clear; I do not believe that the federal government has the authority under the Commerce Clause of the United States Constitution to direct or order an individual citizen to purchase any item, good or service.

In my view, such congressional action is so overreaching that it violates the rights of the states as reserved to them under the 10th Amendment. As the Attorney General, I believe that it is my duty to protect our interest in the sovereignty of the Commonwealth against this encroachment.

While I understand that there is great passion on both sides of the health care debate, I believe that there must be a judicial determination of the constitutionality of this legislation. I know that you are fully aware of the important role of the judiciary and will agree with me that the resolution of our differences is best left in their capable hands.

Furthermore, I was deeply disturbed by your repeated comments concerning the budget of the Office of Attorney General. It would appear that your passion regarding this legislation and anger at my position caused you to threaten the budget of my office. It would be a mistake for you to misdirect your anger by penalizing the citizens of Pennsylvania and the good men and women of my office who serve them so well. As you may be aware such employees include those who work in the Health Care Section. These dedicated individuals facilitate consumer access to healthcare. Through our efforts, in 2009 alone, we assisted over 4,700 consumers and saved Pennsylvanians over \$4.2 million dollars. Clearly, my office has made healthcare a priority and taken action to assist our citizens instead of engaging in mere rhetoric.

Sincerely,



TOM CORBETT
Attorney General

Attachment