



Dear Senator,

March 16, 2011

On behalf of Independent Women's Voice, I urge you to vote YES on the Save our States Act, offered by Sen. Kay Bailey Hutchison (R-TX) as Amendment No. 197 to S.493, the Small Business Innovation Research Reauthorization Act.

After its passage in March 2010, the ironically named "Patient Protection and Affordable Care Act" (ObamaCare) was met with a wave of more than 20 legal challenges in Federal District Courts. Doctors' groups, business groups, religious groups, multiple public officials, thousands of individual private citizens and 28 states are among the plaintiffs, and new cases continue to be filed. Sen. Hutchison's amendment would suspend the implementation of ObamaCare until these serious and various legal challenges are resolved.

Several judges have spinelessly dismissed cases before hearing arguments. But two judges in the most prominent cases (in Virginia and Florida) have handed down summary judgment rulings that declare the law to be unconstitutional. These cases, along with at least two others, are now moving to the appellate level.

Multiple circuits will review and rule on the law's constitutionality in the coming months, but only a Supreme Court ruling will decide ObamaCare's ultimate fate. This may not happen for another year, or possibly longer.

In the meantime, the Obama Administration and the Department of Health and Human Services will continue to create the infrastructure for this law's massive overhaul of our health care system. New bureaucracies will be put into place, new regulations will be written, and new taxes will be collected.

With the passage of this law, our leaders promised a simplification of health care, a decrease in private and public spending, and better (or at least unchanged) coverage for all. These promises have been broken. Mandates are causing premiums to rise, and public spending estimates have been revised upwards – spelling doom for our already out-of-control health care costs. Federal bureaucrats have waived requirements for nearly a thousand groups already, affecting millions of workers, while other businesses and groups must comply, creating an unfair and arbitrary process. Seniors are seeing their coverage dropped, and families have fewer options for insuring their children. The disjunction between promise and reality are Orwellian.

Consider the consequences of a Supreme Court ruling that favors the plaintiff states, should Sen. Hutchison's amendment fail. Billions of taxpayer dollars will have been wasted without any opportunity to recoup those funds. The restructuring of our health care system will have been focused on an unconstitutional centerpiece. To avoid this disastrous waste of time and money, Congress should adopt Sen. Hutchison's amendment and move on to other important battles while ObamaCare is reviewed in court.

The executive branch has already clearly demonstrated its contempt for checks and balances to federal power. Please vote YES to Amendment No. 197 to demonstrate to the American people that our legislative branch recognizes the value of the taxpayer's dollar and the significance of judicial review.

Sincerely,

A handwritten signature in blue ink, appearing to read 'HRH', is written over a horizontal blue line.

Heather R. Higgins
President and CEO
Independent Women's Voice