

LYNN JENKINS, CPA
2ND DISTRICT, KANSAS

ASSISTANT WHIP

COMMITTEE ON FINANCIAL SERVICES

SUBCOMMITTEE ON CAPITAL MARKETS,
INSURANCE, AND GOVERNMENT SPONSORED ENTERPRISES

SUBCOMMITTEE ON HOUSING AND
COMMUNITY OPPORTUNITY

Congress of the United States
House of Representatives
Washington, DC 20515-1602

130 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6601

3550 SW 5TH STREET
TOPEKA, KS 66601
(785) 234-5966

701 N. BROADWAY STREET
PITTSBURG, KS 66762
(620) 231-5966

[HTTP://LYNNJENKINS.HOUSE.GOV](http://LYNNJENKINS.HOUSE.GOV)

March 24, 2010

Attorney General Steve Six
State of Kansas
120 SW 10th Street
Topeka, KS 66612

Dear Attorney General Six,

I write to you to request you join the numerous other State Attorney Generals who are filing lawsuits to challenge the constitutionality of the recently passed H.R. 3590, the Patient Protection and Affordable Care Law.

In 1994, the nonpartisan Congressional Budget Office found “a mandate requiring all individuals to purchase health insurance would be an unprecedented form of federal action.” Article 1, Section 8 of the U.S. Constitution states that Congress shall have the power to “regulate commerce with foreign nations, and among the several states, and with the Indian tribes,” but it does not give Congress the right to regulate commerce between individuals. By requiring all citizens to purchase health insurance or pay a penalty for failing to do so, the federal government is attempting to regulate commerce on an individual level and therefore in violation of this clause.

Also at issue is State Sovereignty as reserved to the states through the 10th Amendment. By removing decision-making power from local entities, the federal government is exercising powers not granted to it through the U.S. Constitution.

At a time when the State of Kansas is already facing a \$400 million budget deficit According to the National Conference of State Legislatures, the expansion of Medicaid in H.R. 3590 would cost the state of Kansas an additional \$226 million dollars from 2014-2019.

I believe we do need health care reform in this country but the fiscal impact of H.R. 3590 will be devastating to our state and country. We cannot continue down a fiscally unsustainable path at a time when we are facing record deficits. I respectfully ask that you fight for Kansans and add us to the multi-state lawsuit against H.R. 3590, the Patient Protection and Affordable Care Law.

Sincerely,


Lynn Jenkins, CPA
Member of Congress