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NEWS RELEASE

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AG Bruning: Briefs Filed in Legal Challenges to Federal Health Care Law

LINCOLN — Attorney General Jon Bruning today announced Nebraska and 25 other states filed a reply brief in the 11th Circuit in their challenge of the constitutionality of the federal health care law. The brief was filed in support of the States' cross-appeal, arguing the federal requirements of the Patient Protection Affordable Care Act (PPACA) are so coercive as to pass the point where pressure turns into compulsion.

“Forcing Nebraskans to buy a good or service is an unprecedented congressional overreach,” said Bruning. “The federal government does not have the authority to impose this unconstitutional mandate.”

The States' brief further argues the coercive Medicaid expansion cannot be severed from the remainder of the Act. Without the means of forcing States to provide free insurance to millions of individuals, the PPACA cannot function in a manner consistent with the intent of Congress.

In addition, Bruning and officials from 13 other states filed a brief with the U.S. Court of Appeals for the District of Columbia Circuit that supports a legal challenge filed by Susan Seven-Sky and four other plaintiffs. The States' amicus brief in *Seven-Sky v. Holder* explains the law's individual mandate – which requires all Americans to purchase health insurance as a condition of lawful residence in the United States – violates the Constitution.

Seven-Sky v. Holder was filed in June 2010 with the U.S. District Court for the District of Columbia.

The states that joined Nebraska in the amicus brief are: Florida, Alabama, Indiana, Kansas, Maine, Michigan, Texas, North Dakota, Ohio, Pennsylvania, South Dakota, Washington and Wisconsin.