



May 3, 2013

The Honorable Steven Palazzo
United States House of Representatives
331 Cannon House Office Building
Washington, DC 20515

Dear Representative Palazzo:

On behalf of the 362,000-member National Taxpayers Union (NTU), I write in strong support of H.J. Res. 28, your “Right to Refuse” Amendment. This Constitutional amendment would prohibit Congress from imposing a tax on a failure to purchase a good or service, creating a critical check on the powers of Congress to tax and preventing future “individual mandates” in the style of the President’s health care debacle.

As you know, last year the Supreme Court upheld the constitutionality of the Patient Protection and Affordable Care Act’s (PPACA’s) individual mandate, which requires all Americans to purchase health insurance or face a substantial fine. In ruling on the case of *National Federation of Independent Business vs. Sebelius*, Chief Justice Roberts asserted that despite the fact that the individual mandate is nowhere described as such in the legislation, he understood this penalty to be within Congress’ power to lay and collect taxes.

While many continue to find this decision to be poorly rendered, it is paramount that conscientious lawmakers initiate the process for a Constitutional remedy so that Congress can’t overstep its bounds in such a profound manner again. Without the “Right to Refuse” Amendment in place Congress could impose any number of tax schemes on Americans in order to achieve its preferred societal outcomes.

The folly of PPACA and its individual mandate is becoming increasingly apparent as we inch closer and closer to full implementation. NTU urges Representatives to continue working toward a full repeal of the legislation and at the same time begin building the safeguards taxpayers need to ensure that future laws don’t trample on their liberties. All Representatives should join you in co-sponsoring H.J. Res. 28 and any roll call votes on this legislation will be heavily weighted in NTU’s annual Rating of Congress.

Sincerely,

Nan Swift
Federal Affairs Manager