



STATE OF MINNESOTA

Office of Governor Tim Pawlenty

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

March 22, 2010

The Honorable Lori Swanson
Attorney General
State of Minnesota
102 State Capitol
Saint Paul, Minnesota 55155

Dear Attorney General Swanson:

As you may be aware, attorneys general in at least 12 states have indicated they plan to file lawsuits to block implementation of the federal health care reform legislation on constitutional grounds.

The legislation passed by Congress requires individuals to purchase health insurance or pay a fine. Such a sweeping federal mandate has never before been enacted. In fact, when such a mandate was previously considered, a 1994 report from the Congressional Budget Office said, "A mandate requiring all individuals to purchase health insurance would be an unprecedented form of federal action. The government has never required people to buy any good or service as a condition of lawful residence in the United States."

It appears Congress may be overstepping its bounds by forcing individuals or businesses to buy insurance. I respectfully request that you review the legal issues being raised by this unprecedented federal mandate and join other attorneys general to protect the constitutional rights of our citizens. These efforts will help maintain a proper balance in the relationship between states and the federal government.

While I support improving and reforming our health care system, this bill is overly focused on expanding access and will do little to improve overall health care quality or contain costs. Congress would have been wiser to use Minnesota's market-driven, patient-centered, and quality-focused reforms as a model.

Attorney General Swanson

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Please contact my general counsel, Patrick Robben, to discuss how best to proceed.
Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Pawlenty', with a long, sweeping underline that extends to the right.

Tim Pawlenty
Governor

cc: All Governors
All State Attorneys General