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113TH CONGRESS
1ST SESSION

H. RES. 153

Expressing the sense of the House of Representatives that the Patient Protection and Affordable Care Act of 2009 violates article I, section 7, clause 1 of the United States Constitution because it was a ''Bill for raising Revenue'' that did not originate in the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2013

Mr. FRANKS of Arizona (for himself, Mr. GOHMERT, Mr. SALMON, Mr. STOCKMAN, Mr. BONNER, Mr. COBLE, Mr. PITTS, Mr. MCCLINTOCK, Mr. SHIMKUS, Mr. CAMPBELL, Mr. FLEMING, Mr. WESTMORELAND, Mr. SMITH of New Jersey, Mr. WILLIAMS, Mrs. BACHMANN, Mr. GARRETT, Mr. CARTER, Mr. SAM JOHNSON of Texas, Mr. SCHWEIKERT, and Mr. ISSA) submitted the following resolution; which was referred to the Committee on Ways and Means

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RESOLUTION

Expressing the sense of the House of Representatives that the Patient Protection and Affordable Care Act of 2009 violates article I, section 7, clause 1 of the United States Constitution because it was a ''Bill for raising Revenue'' that did not originate in the House of Representatives.

Whereas article I, section 7, clause 1 of the United States Constitution provides that, ''All Bills for raising Revenue shall originate in the House of Representatives'';

Whereas, on June 28, 2012, a majority of the United States Supreme Court held that the individual mandate provi-

sion of the Patient Protection and Affordable Care Act of 2009 ''cannot be upheld as an exercise of Congress's power under the Commerce Clause'' but ''was within Congress's power to tax'';

Whereas the Patient Protection and Affordable Care Act of 2009 was originally introduced in the United States Congress by its sponsor as the ''Senate health care bill'' in the form of a Senate Amendment to H.R. 3590, which had passed the House of Representatives by a vote of 416–0 as the ''Service Members Home Ownership Tax Act of 2009'';

Whereas there is ample evidence that the sponsors of the ''Senate health care bill'' not only contemplated the possibility of substantial excess revenues, but explicitly announced on its Senate introduction that, ''This bill will cut the deficit by $130 billion'';

Whereas section 1563 of the Senate amended H.R. 3590 explicitly stated that it was the ''Sense of the Senate [that] this Act will reduce the Federal deficit between 2010 and 2019'', and ''this Act will continue to reduce budget deficits after 2019.''; and

Whereas the ''Senate health care bill'' that the President ultimately signed as H.R. 3590 contains 17 numbered ''Revenue Provisions'', none of which are germane to the subject matter of the original H.R. 3590, and nothing else in the ''Senate health care bill'' was germane to the subject matter of H.R. 3590: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the Patient Protection and Affordable Care Act of 2009 was a ''Bill for raising Revenue'' as

1 those words were intended to be understood in arti-
2 cle I, section 7, clause 1 of the United States Con-
3 stitution; and
4 (2) the Patient Protection and Affordable Care
5 Act of 2009 did not originate in the House of Rep-
6 resentatives.

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