

246. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 25 supporting the Visa Improvements to Stimulate International Tourism to the United State of America; jointly to the Committees on the Judiciary and Homeland Security.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CANTOR:

H.R. 6079.

Congress has the power to enact this legislation pursuant to the following:

In *National Federation of Independent Business v. Sebelius*, the Supreme Court rejected the constitutional basis offered by proponents of the Patient Protection and Affordable Care Act, the interstate commerce clause found in Article I, Section 8, Clause 3 of the Constitution. Having eliminated the requirement that all Americans buy insurance, the Supreme Court recast the law's penalty for not buying insurance as a tax, which Americans would pay in lieu of purchasing insurance, and five Justices upheld this tax under the taxing power of Congress, found in Article I, Section 8, Clause 1. With the individual requirement to buy insurance having been found unconstitutional, and, with the compulsory nature of that requirement being central to the funding mechanism contemplated under the Patient Protection and Affordable Care Act, Congress hereby repeals the Act in its entirety. Furthermore, Congress did not intend and does not now intend to invoke its taxing power in relation to the individual requirement to buy insurance.

The Congress, the Executive, and the Judiciary are obligated to act according to the principle of coordinate branch construction based on their respective obligations to ensure that all their actions are constitutional. This is the clear meaning of the Vesting Clauses of Articles I, II, and III along with the Supremacy Clause of Article VI, as well as of the Oath of Office that each constitutional officer of the Federal government must take pursuant to Article VI. James Madison made this clear in 1834 stating, "As the Legislative, Executive, and Judicial departments of the United States are co-ordinate, and each equally bound to support the Constitution, it follows that each must in the exercise of its functions be guided by the text of the Constitution according to its own interpretation of it."

The "Repeal of Obamacare Act" repeals the Patient Protection and Affordable Care Act and title I and subtitle B of title II of the Health Care and Education Affordability Reconciliation Act of 2010, which included several specific provisions that extend beyond the enumerated powers granted to Congress by the Constitution, including, in particular, the Commerce, Taxing, and the Spending Clauses of Article I, Section 8, as well as the Necessary and Proper Clauses contained therein, and that otherwise improperly extend authority to Federal agencies in a manner inconsistent with the Vesting Clause of Article I, Section 1.

The general repeal of this legislation is consistent with the powers that are reserved to the States and to the people as expressed in Amendment X to the United States Constitution.

By Mr. SMITH of Texas:

H.R. 6080.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation, which makes improvements in the enactment of title 41, United States Code, into a positive law title and improves the Code, pursuant to Article I, Section 8, Clause 18 of the Constitution.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 6081.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the Constitution of the United States.

By Mr. HASTINGS of Washington:

H.R. 6082.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2

By Mr. LUCAS:

H.R. 6083.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: The ability to regulate interstate commerce pursuant to Article I, Section 8, Clause 3.

By Mr. SMITH of New Jersey:

H.R. 6084.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution

By Mr. BOUSTANY:

H.R. 6085.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7 which states that no money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time. The Appropriations Clause provides Congress with a mechanism to control or to limit spending by the federal government

By Mr. HEINRICH:

H.R. 6086.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article IV, Section 3 of the United States Constitution.

By Ms. MCCOLLUM:

H.R. 6087.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which gives Congress the power "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers."

By Mr. SCHWEIKERT:

H.R. 6088.

Congress has the power to enact this legislation pursuant to the following:

Amendment 16 of the Constitution states: The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. TIPTON:

H.R. 6089.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Mrs. CHRISTENSEN.

H.R. 218: Mr. MEEKS.

H.R. 459: Mr. CLARKE of Michigan, Mr. GRIJALVA, Mr. BUCSHON, Mr. HASTINGS of Washington, and Ms. PINGREE of Maine.

H.R. 694: Ms. WILSON of Florida.

H.R. 733: Mr. LEVIN, Mr. BERG, Mr. DIAZ-BALART, Mr. BLUMENAUER, Mr. GRAVES of Missouri, Mr. POLIS, Mrs. BONO MACK, Mr. LATTA, and Mr. YOUNG of Florida.

H.R. 860: Mr. CUELLAR and Ms. HANABUSA.

H.R. 865: Mr. CHANDLER.

H.R. 997: Mr. MURPHY of Pennsylvania.

H.R. 998: Mr. HOYER.

H.R. 1063: Mr. HARRIS and Mr. BUCHANAN.

H.R. 1171: Ms. BONAMICI.

H.R. 1219: Mr. KISSELL.

H.R. 1244: Mr. POE of Texas.

H.R. 1265: Mr. PASCRELL.

H.R. 1322: Ms. SLAUGHTER, Mr. GRIJALVA,

Mr. LOEBSACK, and Mr. JOHNSON of Georgia.

H.R. 1464: Mr. LAMBORN.

H.R. 1546: Mr. KISSELL.

H.R. 1742: Mr. GRIJALVA and Mr. HINOJOSA.

H.R. 1775: Mr. BARROW, Mr. CRITZ, Ms.

BORDALLO, and Mr. BOUSTANY.

H.R. 1855: Mr. CHANDLER.

H.R. 1909: Mr. RUSH.

H.R. 1912: Mr. GENE GREEN of Texas.

H.R. 1956: Mr. WOMACK.

H.R. 1968: Mr. MURPHY of Pennsylvania.

H.R. 2040: Mr. ROE of Tennessee.

H.R. 2053: Mr. CHANDLER.

H.R. 2077: Mr. DOLD.

H.R. 2140: Ms. SCHAKOWSKY and Mr. WELCH.

H.R. 2154: Mr. MORAN.

H.R. 2168: Mr. STARK.

H.R. 2268: Mr. SCOTT of Virginia.

H.R. 2295: Mr. BENISHEK.

H.R. 2316: Mr. McDERMOTT and Mr. MORAN.

H.R. 2437: Mr. HONDA.

H.R. 2472: Mr. COFFMAN of Colorado.

H.R. 2499: Mr. LOBIONDO.

H.R. 2580: Ms. CLARKE of New York.

H.R. 2655: Mr. CUMMINGS, Mr. KISSELL, and Mr. HINCHAY.

H.R. 2672: Mr. KISSELL.

H.R. 2689: Mr. HONDA.

H.R. 2730: Mr. JOHNSON of Ohio.

H.R. 2866: Ms. ROS-LEHTINEN and Mr. HANNA.

H.R. 2948: Mr. MCINTYRE.

H.R. 2969: Mr. FORBES, Mr. JONES, Mr. CONYERS and Mr. KISSELL.

H.R. 3187: Mr. CHAFFETZ, Mr. BISHOP of Utah, Mr. MICHAUD, Mr. PAULSEN, Mr. PERLMUTTER, Ms. LORETTA SANCHEZ of California,

Mrs. NAPOLITANO, Ms. FUDGE, Mrs. MCCARTHY of New York, and Mr. LATTA.

H.R. 3238: Mr. HIMES.

H.R. 3315: Mr. PRICE of Georgia.

H.R. 3337: Mr. JOHNSON of Ohio.

H.R. 3395: Mr. DUFFY.

H.R. 3510: Ms. DELAURO.

H.R. 3643: Mr. WOMACK.

H.R. 3709: Mr. JORDAN.

H.R. 3767: Ms. ROS-LEHTINEN and Ms. JENKINS.

H.R. 3780: Mr. SCHOCK.

H.R. 3798: Ms. SUTTON, Ms. MATSUI, and Mr. POLIS.

H.R. 3803: Mr. GUINTA.

H.R. 3821: Mr. HONDA.

H.R. 3861: Mr. ROGERS of Michigan.

H.R. 4035: Mr. SCHOCK.

H.R. 4066: Mrs. ELLMERS and Ms. JENKINS.

H.R. 4070: Mr. GRIFFIN of Arkansas and Mr. MICHAUD.

H.R. 4083: Mr. WAXMAN.

H.R. 4103: Mr. BUCHANAN, Ms. SPEIER, and Ms. LORETTA SANCHEZ of California.

H.R. 4124: Ms. SCHAKOWSKY.

H.R. 4155: Ms. HIRONO and Mr. CONNOLLY of Virginia.