February 09, 2011

President Barack Obama
The White House
Washington, DC 20500

Dear Mr. President:

The undersigned governors hereby express our strong support for an expedited appeal of the Virginia and Florida health care lawsuits recently decided in favor of the states. We respectfully ask that you direct the United States Department of Justice to support an expedited appellate process for each case to reach the United States Supreme Court as soon as possible in order to resolve the significant constitutional issues presented, which we all agree are of national importance.

Regardless of our respective positions on the merits of the policies in the Patient Protection and Affordable Care Act (PPACA), every state faces significant challenges and expenses implementing PPACA over the next several years. Additionally, there is little doubt that the cases will ultimately be decided by the Supreme Court. This request for expedited review takes no position on PPACA, but seeks only to obtain the Supreme Court’s final determination as soon as possible.

Given the daunting and costly financial and regulatory burdens that our states and the private sector will face in implementing PPACA over the coming years, particularly during this unprecedented budgetary time, public interest requires expediting a final resolution of the litigation to give certainty as soon as possible. We should not endure years of litigation in the circuit courts, when the Supreme Court can promptly provide finality. This resolution can help prevent the states and the private sector from undertaking potentially unnecessary measures and expenses. More importantly, our businesses, health care providers, and citizens of our great nation need to know as soon as possible whether all or part of the law will be upheld or stricken, so they know their options and obligations.

To that end, we respectfully ask that you promptly support an expedited appellate process for each of the pending cases to achieve quick resolution by the United States Supreme Court and to encourage the United States Department of Justice to join these efforts.

Thank you for your consideration and prompt attention to this important national matter.

Sincerely,

Governor Robert Bentley
Alabama

Governor Sean Parnell
Alaska
Governor Janice K. Brewer
Arizona

Governor Rick Scott
Florida

Governor-Nathan Deal
Georgia

Governor C.L. “Butch” Otter
Idaho

Governor Mitch Daniels
Indiana

Governor Terry E. Branstad
Iowa

Governor Sam Brownback
Kansas

Governor Bobby Jindal
Louisiana

Governor Paul R. LePage
Maine

Governor Rick Snyder
Michigan

Governor Haley Barbour
Mississippi

Governor David Heineman
Nebraska

Governor Brian Sandoval
Nevada

Governor Chris Christie
New Jersey
Governor Susana Martinez  
New Mexico

Governor Jack Dalrymple  
North Dakota

Governor John R. Kasich  
Ohio

Governor Tom Corbett  
Pennsylvania

Governor Nikki Haley  
South Carolina

Governor Dennis Daugaard  
South Dakota

Governor Bill Haslam  
Tennessee

Governor Rick Perry  
Texas

Governor Gary R. Herbert  
Utah

Governor Robert F. McDonnell  
Virginia

Governor Scott Walker  
Wisconsin

Governor Matthew H. Mead  
Wyoming