



December 17, 2010

### **Federal Judge Rules ObamaCare is Unconstitutional**

On Monday, U.S. District Court Judge Henry Hudson of the Eastern District of Virginia declared the Democrats' health care law to be unconstitutional. Under the overreaching health care law, Democrats have loosely used the Commerce Clause to require every individual to purchase health insurance that they do not want, do not need, or cannot afford. Monday's ruling found, however, that "neither the Supreme Court nor any federal circuit court of appeals has extended Commerce Clause powers to compel an individual to involuntarily enter the stream of commerce by purchasing a commodity in the private market." Congressman Miller applauds this win for freedom and believes firmly the health care law exceeds constitutional boundaries of congressional power. In the next Congress, Congressman Miller will continue his fight to repeal the health care law and replace it with real solutions that drive down the cost of health care.

### **House Approves Tax Compromise**

On Thursday, the House of Representatives approved the tax compromise. As this bill has already been approved by the Senate, it now goes to the President's desk for signature. In summary, the compromise extends the 2001 and 2003 tax cuts for all income levels for two years; provides a patch for the alternative minimum tax through 2011; minimizes the estate tax with a 35 percent top rate and a \$5 million exemption; cuts the Social Security payroll tax by 2 percent for one year; and provides a 13-month extension of unemployment insurance benefits. Although Congressman Miller is concerned the unemployment benefits contained in the proposal are not paid for, he supported the bill because it is imperative Congress act to prevent a job-killing tax increase from hitting American families and small businesses. Without such action, more Americans would be added to the unemployment rolls and small businesses will continue to face an increasingly uncertain economic climate, which will consequently hamper economic growth and job creation.

### **House Hastily Votes to Repeal "Don't Ask, Don't Tell"**

The House on Wednesday voted 250-175 to repeal the Clinton-era "Don't Ask, Don't Tell" (DADT) law and policy. Just weeks ago, the Department of Defense unveiled the findings and recommendations generated from a nine-month study of the implications of repealing DADT. While some in Congress have used the release of this report as an opportunity to rush to repeal the law, significant challenges identified in the report, especially within the Army and Marine Corps combat arms, would suggest that a more cautious approach is warranted. In fact, the Pentagon's report identifies significant challenges associated with repealing DADT, including questions and concerns surrounding family support programs, family benefits and housing, and religious views within the force. Congressman Miller opposed the legislation because he believes the Pentagon's report must be thoroughly examined by the House Committees of jurisdiction to determine potential impacts on military recruitment, readiness, and morale.

### **Information on Housing Assistance**

The U.S. Department of Housing and Urban Development (HUD) website lists a number of local approved housing assistance agencies that work to provide homeowners and buyers with modification assistance, counseling services, and financial management. Congressman Miller encourages constituents to visit [www.hud.gov](http://www.hud.gov) for the listing of approved housing assistance agencies who work to keep the dream of owning a home during this difficult recession a reality. For questions or for more information, please call Congressman Miller's Brea office at (714) 257-1142.

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