

FRC Blasts Appeals Court on Obamacare Ruling

While many are analyzing President Obama's \$447 billion American Jobs Act, the Family Research Council is criticizing the U.S. Court of Appeals for the Fourth Circuit for dismissing two Obamacare cases.

"We are profoundly disappointed but not surprised by this ruling from a panel of the 4th Circuit. The questions asked by the judges during oral argument strongly suggested that they would move in this direction. In May, FRC's Ken Klukowski correctly predicted in a *Washington Examiner* column that the court would rule this way," says Tony Perkins, president of the FRC.

"We remain confident that the U.S. Supreme Court will hold Obamacare's mandate unconstitutional and are optimistic that the Court will agree with our position adopted by the lower court that in striking down the individual mandate the court must throw out this entire legislative monstrosity."

Ken Klukowski, FRC's director for the Center for Religious Liberty, is astounded that the court insisted on taking this route, especially given that the state of Virginia, Liberty University and the Justice Department all agreed that these cases should not be dismissed as a tax case. As he sees it, the court has broken with every federal judge who has ruled on the health care law, disagreeing with both conservative and liberal judges, and both Republican and Democratic appointees.

"Although we still hope that the State of Virginia and Liberty Counsel are able to take these cases to the U.S. Supreme Court, it becomes more likely that the Supreme Court will take one of the other Obamacare cases," Klukowski says. "By focusing on this taxing angle that is so clearly erroneous,

the Fourth Circuit did not fully explore the more mainstream arguments regarding Obamacare's constitutional problems."