



News Release

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Attorney General Alan Wilson Joins Five States In Brief Supporting Private-Sector Lawsuit Against Affordable Care Act

(COLUMBIA, S.C.) Attorney General Alan Wilson joined attorneys general from five states in filing an amicus brief in the U.S. District Court for the District of Columbia, supporting a lawsuit filed by private citizens against the federal government over implementation of the Affordable Care Act (ACA).

Several small business owners are suing the IRS over implementation of the ACA. In *Halbig v. Sebelius*, those business owners are challenging an IRS rule that punishes “large employers” with tax penalties in states that did not adopt state-based health care exchanges under the Affordable Care Act. They are requesting the D.C. Circuit Court review their case after a federal judge ruled in favor of the federal government. The amicus brief was signed by the attorneys general of Alabama, Georgia, Nebraska, Oklahoma, South Carolina and West Virginia.

At issue is the IRS rule dispensing federal subsidies through state-sponsored healthcare exchanges under the ACA, and enforcing the employer mandate in states that have federal exchanges.

“The IRS must not be permitted to regulate what Congress does not legislate,” Attorney General Wilson said. “If it can do so on its own, there is no need to have a Congress. When unelected bureaucrats bend laws any way they chose, every American suffers. This amicus brief reaffirms my strong belief that the federal government must operate within the limits established by the U.S. Constitution, and not exceed those limits.”

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