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Reply to: Washington, D.C.

March 17, 2010

Representative
House Office Building
Washington, D.C. 20515

Re: Slaughter Rule

Dear Representative:

Liberty Counsel is a non-profit organization that focuses on constitutional litigation, and is a member of a federation of organizations I chair called the Freedom Federation. The Freedom Federation is a federation that comprises some of the largest multiracial, multiethnic, and multigenerational faith-based and policy organizations in the country, representing more than 30 million people. Like you, we at Liberty Counsel and the organizations of the Freedom Federation understand the importance of the Constitution and the rule of law.

Article I, Section 7, of the Constitution of the United States of America states, “Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; ... in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively.” As you know, according to this provision, the health care reform bill must be voted on and signed into law prior to the reconciliation process. The Slaughter Rule is an attempt to side-step Article I, Section 7, of the Constitution.

Additionally, President Barack Obama stated he wanted health care reform to receive the “same kind of up-or-down vote that was cast on welfare reform, that was cast on the Children’s Health Insurance Program, that was used for COBRA health coverage for the unemployed, and, by the way, for both Bush tax cuts – all of which had to pass Congress with nothing more than a simple majority.” Therefore, the invention of the Slaughter Rule, not only defies the Constitution, but also defies President Obama’s request for an “up-or-down vote.”

Due to the introduction of the Slaughter Rule, and subsequently, the anticipated manipulation of the legislative process, the American people require and deserve increased transparency. Liberty Counsel supports H. Res. 869 and the effort to broadcast the proceedings of the Committee on Rules. The American people gave the members of the House of Representative the honor and duty to represent them in Congress. November of 2010 will present the opportunity for a job evaluation of sorts, and in preparation for that evaluation, the American people need to be able to watch their Congress in action.

I look forward to the opportunity to share with the members of Liberty Counsel and the Freedom Federation that members of the House of Representatives did the right thing. They refused to side-step the Constitution; they opposed a Rule that “deems” a bill passed without adequately scrutinizing the Senate’s amendments; and, they recognized that the Senate’s version of health care reform does not lower costs, does not decrease unemployment, and does not prevent the federal funding of abortions.

It takes courage to do the right thing – courage to oppose a procedural move when you agree so strongly with the underlying agenda; courage to vote no on an entire bill because the Senate tabled an amendment that would have protected life; and, courage to support a resolution that invites scrutiny of your actions. Liberty Counsel encourages you to be courageous.

Sincerely,

A handwritten signature in black ink, appearing to read "Mathew D. Staver". The signature is written in a cursive, somewhat stylized font with a horizontal line crossing through the middle of the letters.

Mathew D. Staver

MDS/mc