

Dr. Burgess Weekly Video Address July 18, 2014 “Suing the President”

Hello, this is your Congressman Michael Burgess. On Wednesday, the House Rules Committee, on which I serve, held a hearing to discuss a lawsuit against President Obama. The suit would charge the president for his failure to enforce the law, specifically the employer mandate, which is a central provision in his health law.

The hearing was the first step in a deliberative process of determining whether or not the House of Representatives will move forward with this litigation.

While there are numerous examples of President Obama acting unilaterally and unlawfully, his delay of the employer mandate is a straight forward example of his overreach. Therefore, it is the example that has the best chance of achieving before standing a court of law. We heard from a panel of distinguished legal experts from across the political spectrum. It is my hope they will guide us as we work through this process.

This is uncharted territory. This is a novel concept. One body of one branch of government has never before sued another in a court of law. Our hearing was a fact finding expedition to hear legal theories that would allow such a suit, or prevent it.

President Obama has made the Affordable Care Act his signature achievement. He campaigned on it. He wrote it. He signed it into law. And he defended it to the courts. For him to then turn his back on a core provision of it is surprising, unfair and harmful to American employers and families. But simply put, it is also illegal. By circumventing Congress and cherry picking which parts he chooses to enforce, he is legislating without the legislative branch.

I disagree wholeheartedly with the health care law. I oppose the employer mandate because I think it is harmful to American businesses, insurers, doctors, patients and hospitals. But I still maintain that using this example of the president's overreach is the best opportunity we will have to keep the powers of the executive branch in check and prevent erosion of our system of government, which depends on the separation of powers. It is the duty of the People's House, and I plan to do my part as a member of that body. And as Abraham Lincoln said, “the best way to end a bad law is to enforce it strictly.”

As always, I welcome your questions and comments on this issue. Thank you for taking the time to listen. May God bless you and your family, and as always, may God bless Texas.