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## Office of the Governor

**JIM GIBBONS**  
GOVERNOR

March 24, 2010

Catherine Cortez Masto  
Attorney General of the State of Nevada  
100 North Carson Street  
Carson City, NV 89701-4717

Dear Attorney General Masto:

Pursuant to NRS 228.170(1), I am herewith directing that you commence an action in federal court immediately such as fourteen other attorneys general have challenging the constitutionality of the Patient Protection and Affordable Care Act (H.R. 3590, PL# 111-148).

NRS 228.170(1) provides:

Whenever the Governor directs or when, in the opinion of the Attorney General, to protect and secure the interest of the State it is necessary that a suit be commenced or defended in any federal or state court, the Attorney General shall commence the action or make the defense.

If there was ever an appropriate time for a governor of this State to request a suit be commenced on behalf of the State of Nevada, this is that time. There is no question that the recently-passed healthcare act eviscerates the interests of the State.

The healthcare act is an unconstitutional exercise of federal power in violation of Article I and Amendment Ten, and Article I, Sections Two and Nine of the United States Constitution. As elected officials we must "protect and secure the interest of the State".

I look forward to your prompt reply in this very urgent matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Gibbons".

Jim Gibbons  
Governor

JAG/do

