

*FreedomMaker Coalition
Of Indiana*



**FEDERAL
HEALTH CARE**

JUST SAY

NO!

TO

TYRANNY

AND

OPPRESSION

**1,500,000 patriots presented themselves on the steps of the U.S. Congress
and said "NO!" to ObamaCare.**

70% percent of America said no to ObamaCare.

An out of control Congress and President ignored us!

With the absolute breakdown of the Federal government, our remaining option is to take back our liberties state by state. The state was always the true battle line but we had to first attempt to influence the federal government. It is now incumbent upon us to place the same pressure on the state as we did on Washington D.C. The difference is a home-field advantage!

Essentially we have two options: we can continue the guaranteed path of failure with the Florida lawsuit, or demand our elected officials enact Interposition.

The following document is an outline of the two options facing Indiana.

Indiana has joined a lawsuit initiated by the state of Florida. Although we commend our Attorney General for taking action we respectfully believe there is a better option.

The following is a review of the current assured destruction path in regards to healthcare litigation and our alternatives.

- 18 states to date, with more considering, have filed suit against the healthcare bill, most joining the Florida lawsuit.
- Nine of the eleven U.S. Federal District court jurisdictional areas are represented in the Florida suit.
- Did you know that a law is presumed to be constitutional until proven to be unconstitutional beyond a reasonable doubt (Ogden V Saunders 12 Wheat 231). The plaintiff in the case (Florida) must prove "beyond a reasonable doubt" the law is unconstitutional.
- There are 7 very difficult criteria that must be met before a federal court will hear a case on a constitutional issue. The Florida suit does not even address these 7 criteria and does not cite case law to claim unconstitutionality.
- The Supreme Court may or may not hear the case, they only grant Certiorari in 1% of cases, there is a 99% chance they won't hear the case.
- When the 11th Circuit Court rules against the states, because most the federal districts are represented, it essentially becomes the law of the land. The 11th District is comprised of judges primarily appointed by Carter, Clinton & Obama.
- Indiana has a stronger legal standing than Florida because its hierarchy of law already declares Acts of Congress over which it does not have authority to act are not law in Indiana.
- Why should we expect this lawsuit to prevail? The U.S. Supreme Court has rarely ruled against its corrupt counterpart; the U.S. congress. Just as lawsuits failed against income tax, Federal Reserve, Social Security, Medicare, Medicaid... and so it will fail against ObamaCare. ObamaCare is intentionally designed to prevent Judicial Review from finding it unconstitutional - it amends Social Security, which has already been found Constitutional.

INTERPOSITION: THE PROCESS

The following document provides a legal, ethical and peaceful means by which to restore our liberties. The process is known as “interposition.” Both Thomas Jefferson and James Madison asserted interposition against the Federal government.

Interposition, is an asserted right of a state to protect their individual interests and its citizens from federal violation. The third resolution of the Virginia Resolution of 1798 took to task the over-reaching powers of the Federal government.

“That this Assembly (Virginia) doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact, to which the states are parties; as limited by the plain sense and intention of the instrument constituting the compact; as no further valid that they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the states who are parties thereto, have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining within their respective limits, the authorities, rights and liberties appertaining to them.”

With this resolution, Madison asserts that states are "duty bound, to interpose for arresting the progress of the evil." Although perhaps difficult to embrace with a casual reading, the intent is plain... the state (meaning the executive, legislative and judicial branches of state government) have a duty to stand between the federal government and the citizens of the state and defend against encroachment on the rights of a sovereign state.

The Hierarchy of law for Indiana in IC 1-1-2-1 reads:

Sec. 1. The law governing this state is declared to be:

- 1st. The Constitution of the United States and of this state.
- 2nd. All statutes of the general assembly of the state in force, and not inconsistent with such constitutions.
- 3rd. All statutes of the United States in force, and relating to subjects over which congress has power to legislate for the states, and not inconsistent with the Constitution of the United States.
- 4th. The common law of England...

In simple terms, our elected officials have a constitutional and ethical obligation to intercede on behalf of the citizens of Indiana and protect their rights against unconstitutional usurpation. To do otherwise is no less than abdication of their constitutional obligation.

INTERPOSITION: THE OPTION

- **Just say no.** I.C. 1-1-2-1 (3) & 10th Amendment
- The state has the duty to protect the constitutional rights of its citizens. It is prohibited by the 14th Amendment of depriving citizens of their rights and may not obey a revolutionary Congress that is ordering it to do precisely what it is prohibited from doing. The state must obey the Law of the Land and its Constitution, needing permission from no one to do so.
- The Federal government will then have to decide what action they deem appropriate. They could file suit against Indiana and prove their law is Constitutional (recall “reasonable doubt”). Indiana should not disobey existing Federal laws which protect citizens right to contract (42 USC § 1981) based upon unprecedented speculation of the Obama Administration.
- Such litigation would be lengthy, and compel state legislators and other elected officials, who for the most part have remained silent, to weigh in on healthcare.
- Indiana needs to obey the Law of the Land and protect your constitutional rights. Indiana need not ask anyone for permission to protect your rights, that is its solemn duty, that is why the State exists.

Your action is crucial in protecting our liberties.

- Call, write, visit your state congressman, the governor and the attorney general and ask them to drop the Florida lawsuit and support Interposition. Go to WWW.FMCOIN.ORG for links to state legislators phone numbers and addresses.
- Contact Governor Daniels at: 317-232-4567, or write to: Office of the Governor, Statehouse, Indianapolis, Indiana 46204-2797 or email the Governor at: www.in.gov/gov/2631.htm
- Contact Attorney General Greg Zoeller at: 317.232.6201, Fax 317.232.7979, E-mail: Constituent@atg.in.gov or write to: Office of the Indiana Attorney General, Indiana Government Center South, 302 W. Washington St., 5th Floor, Indianapolis, IN 46204 A coordinated approach is critical... join a local liberty organization. Find one by going to the [FreedomMaker Coalition of Indiana](http://FreedomMakerCoalitionofIndiana.org) website WWW.FMCOIN.ORG IF your organization is not listed on the site, E-mail us and signup!
- While on line, signup so you can stay informed. For more information on Interposition go to WWW.RESTOREGOVERNMENT.COM

Make no mistake about the criticality of this matter. If the Federal government can:

1. Tell you if you can see a doctor
2. Tell you what doctor you can see
3. Tell you what treatment you are allowed
4. Absolutely deny treatment
5. FINE OR IMPRISON YOU FOR NON-COMPLIANCE

**Then the same Government can, like any other Marxist State,
control ABSOLUTELY every aspect of your life.**

**A government big enough to give you everything you want,
is strong enough to take everything you have.**

-- Thomas Jefferson --