



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ARIZONA

TERRY GODDARD  
ATTORNEY GENERAL

December 31, 2009

The Honorable Jan Brewer  
Governor of the State of Arizona  
1700 West Washington Street, Ninth Floor  
Phoenix, AZ 85007

**Re: Your Request for Legal Review of "Nebraska Benefit" in Proposed Federal Health Care Reform Bill**

Dear Governor Brewer:

As upset as we all are with Nebraska after last night's Holiday Bowl game, the specific provision of the proposed federal health bill that concerns you has not yet been passed by Congress or signed by the President. There are undoubtedly many hurdles ahead before this ill-conceived, Nebraska benefit becomes law. The issue is not yet ripe for consideration of a legal challenge.

What is ripe is the chance to reaffirm our commitment to transparency in government. This kind of back room deal-making reminds us all too painfully of the sneak attack on the funds owed to Science Foundation Arizona last January and the special deal to benefit off-road vehicle users in the recently concluded Special Session. I hope you will join me in denouncing financial decisions made without public observation and input. Should the Nebraska benefit ever become law, I assure you I will examine it closely for any constitutional flaws.

I hope you and your family enjoy a safe and festive New Year's celebration.

Sincerely,

Terry Goddard  
Arizona Attorney General

PROTECTING ARIZONA

