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PELOSI: Buy a \$15,000 Policy or Go to Jail

JCT Confirms Failure to Comply with Democrats' Mandate Can Lead to 5 Years in Jail
 Friday, November 06, 2009

Today, Ranking Member of the House Ways and Means Committee Dave Camp (R-MI) released a letter from the non-partisan Joint Committee on Taxation (JCT) confirming that the failure to comply with the individual mandate to buy health insurance contained in the Pelosi health care bill (H.R. 3962, as amended) could land people in jail. The [JCT letter](#) makes clear that Americans who do not maintain "acceptable health insurance coverage" and who choose not to pay the bill's new individual mandate tax (generally 2.5% of income), are subject to numerous civil and criminal penalties, including criminal fines of up to \$250,000 and imprisonment of up to five years.

In response to the JCT letter, Camp said: "This is the ultimate example of the Democrats' command-and-control style of governing – buy what we tell you or go to jail. It is outrageous and it should be stopped immediately."

Key excerpts from the JCT letter appear below:

"H.R. 3962 provides that an individual (or a husband and wife in the case of a joint return) who does not, at any time during the taxable year, maintain acceptable health insurance coverage for himself or herself and each of his or her qualifying children is subject to an additional tax." [page 1]

"If the government determines that the taxpayer's unpaid tax liability results from willful behavior, the following penalties could apply..." [page 2]

"Criminal penalties

Prosecution is authorized under the Code for a variety of offenses. Depending on the level of the noncompliance, the following penalties could apply to an individual:

- *Section 7203 – misdemeanor willful failure to pay is punishable by a fine of up to \$25,000 and/or imprisonment of up to one year.*

- *Section 7201 – felony willful evasion is punishable by a fine of up to \$250,000 and/or imprisonment of up to five years."* [page 3]

When confronted with this same issue during its consideration of a similar individual mandate tax, the Senate Finance Committee worked on a bipartisan basis to include language in its bill that shielded Americans from civil and criminal penalties. The Pelosi bill, however, contains no similar language protecting American citizens from civil and criminal tax penalties that could include a \$250,000 fine and five years in jail.

"The Senate Finance Committee had the good sense to eliminate the extreme penalty of incarceration.



COMMITTEE ON WAYS & MEANS REPUBLICANS

RANKING MEMBER, DAVE CAMP

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Speaker Pelosi's decision to leave in the jail time provision is a threat to every family who cannot afford the \$15,000 premium her plan creates. Fortunately, Republicans have an alternative that will lower health insurance costs without raising taxes or cutting Medicare," said Camp.

According to the [Congressional Budget Office](#) the lowest cost family non-group plan under the Speaker's bill would cost \$15,000 in 2016.

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