



FRIENDS OF THE MIDDLE NEWSLETTER #171 — JUNE 29, 2012

Welcome to always lively political discussion and whatever else comes up.
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Progressives Stomp Regressives!

(posted by Steven W. Baker / SteveB, June 29, 2012)

"It's constitutional. B*tches." —DNC Executive Director Patrick Gaspard



(Thanks to SteveG for the photo!)

"Supreme Court's Obamacare Ruling Leaves Republicans Scrambling" by Patricia Murphy, The Daily Beast

June 29, 2012, (<http://www.thedailybeast.com/articles/2012/06/29/supreme-court-s-obamacare-ruling-leaves-republicans-scrambling.html>)

The Supreme Court ruling on Obamacare dashed both parties' carefully laid reaction plans, but leaves Republicans in particular grasping for a strategy. Patricia Murphy on how the GOP will try to bounce back.

Until 10:07 a.m.—the moment Thursday that the Supreme Court announced it would uphold nearly all of the Obama administration’s health care law—Democrats and Republicans were fully prepared to launch detailed contingency plans, months in the works, to respond to the opposite scenario.

After all, had the high court struck down all or part of the law, the American health-care system would once again be ripe for litigation, debate, and legislative fixes.

Republicans’ plans were twofold: introduce a bill to repeal whatever the court did not strike down, and methodically offer up smaller, more popular pieces of the bill that were individually popular, like keeping young adults on their parents’ insurance until they’re 26 and eliminating lifetime-coverage caps. They would also push traditional Republican-tested ideas that sold well with their base, like tort reform and allowing insurance to be sold across state lines.

Although the timing of the new bills remained undecided, the ideas came out of a months-long effort to map a post-Supreme Court strategy. GOP Whip Kevin McCarthy convened four meetings with members, including a separate sit-down with the doctors in the caucus, to prepare for three scenarios—that the bill would be upheld, partially struck down, or entirely struck down. But members involved in the meetings said the most attention was concentrated on the scenario nearly all of Washington expected—that the individual mandate would not survive.

For their part, Democrats prepared for the same outcome, drafting talking points about a partisan Supreme Court run amok and looking for ways to backfill whatever the justices struck down as unconstitutional. Democratic senators began to devise bills to introduce immediately after a potential nullification of the act, including small measures to restore a partially gutted law and a much larger bill called the “Health Care Restoration Act” in case the entire Obamacare measure was struck down in one fell swoop.

In the end, none of the complicated, multipart contingency plans was necessary because the Supreme Court essentially upheld the status quo, the one scenario neither side had fully gamed out, leaving both parties scrambling.

The easier task fell to Democrats, whose only real challenge was not to spike the ball, as John Boehner had warned his members not to do if their side won. But even composure was too much to ask from some giddy party leaders. DNC Executive Director Patrick Gaspard launched a typically jubilant, if off-color, taunt to Republicans in the frenzied moments after the Supreme Court delivered its decision. “It’s constitutional. Bitches,” he tweeted.

Other Democrats skipped the profanity, but could not help gloating just a little. Sen. Barbara Mikulski rushed to a press conference on the steps of the Supreme Court to declare, “This is what democracy looks like!”

Staffers for minority leader Nancy Pelosi, who has been insisting for months that the health-care bill was “iron-clad constitutionally,” released fun facts about what the leader was wearing—including that she had put on her “lucky purple shoes” for the occasion, the same ones she wore when the bill passed two years ago.

Purple shoes and all, a clearly thrilled Pelosi took to the podium to report she had called Vicky Kennedy, Ted Kennedy’s widow, to say she knew the senator had gone to heaven to “help us pass the bill. Now he can rest in peace.”

No longer needing to produce a legislative Plan B, senior administration officials took the time to release a moment-by-moment account of President Obama’s movements in the White House as he learned that his bill had been left nearly intact, including descriptions of a hug for one staffer and a call to Solicitor General Donald Verrilli, who had argued the case before the Supreme Court.

On the other side of the aisle—and the argument—many Republicans admitted they didn’t see the decision coming. Rep. Phil Gingrey (R-Ga.), who had been in the doctors’ caucus meetings with McCarthy, said he was “shocked” and “disappointed almost beyond belief” by the ruling.

Boehner, who is known to start nearly all of his meetings on time, postponed his 10:45 press conference for nearly three hours while other top Republicans scrapped plans to speak in front of the court and opted for a standard Capitol Hill press conference instead.

The Speaker, along with a unified chorus of Republicans, promised to repeal the law that the court had just upheld as soon as possible. Majority leader Eric Cantor scheduled a vote—on July 11—to repeal the law, for a second time. (The House already approved repeal in 2011.) McCarthy promised that the health-care debate “has only just begun.”

In practical terms, Democrats said they will do little more on health-care reform other than trying to explain it better in the future than they have in the past. They’ll also work on finalizing the details of the law’s biggest pieces that will not take effect until 2014, 2016, and even 2018. “It’s all about continuing to implement the bill now,” a Democratic health-care staffer told *The Daily Beast*.

The challenge for Republicans, who for two years have promised to repeal and replace the law, is that they have failed to achieve a cohesive message about what the replacement would look like.

One exception is Republican governors, who rule a majority of state houses. Many have said they will refuse to implement the bill at the state level. The National Association of Insurance Commissioners has predicted only about half the states will be ready to set up new health-insurance exchanges that the bill requires by 2014.

In Virginia, Gov. Bob McDonnell said he’ll eventually implement the law, but added that he won’t start until he knows how the elections turn out in November. Wisconsin’s Gov. Scott Walker said he’s not doing anything, ever. “Wisconsin will not take any action to implement Obamacare,” Walker declared.

As for Mitt Romney, without a nuanced ruling or baby-splitting decision, he stood in front of the Capitol with a simple promise.

“What the court did not do on its last day in session, I will do on my first day if elected president of the United States,” he said. And by 5 p.m. Thursday, his campaign said, he had raised more than \$2 million from whipped-up Republicans, looking for a way to make Romney’s first day in office a reality.

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20120628-01	10:03	Art	Re: The Cow & the Ice Cream (reply to SteveM, FotM Newsletter #170)
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Hi Steve, where's my ice cream? I really doubt this is a true story. Just more made up Internet crap.

20120628-05	13:37	Pam	Re: FotM Newsletter #170 & Muslim Heritage in America (reply to SteveM)
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There are many points in this newsletter that stand out. I was happy to read Obama's speech; I think it's magnificent. I don't know how any reasonable person could disagree with anything he says in it.

SteveM—You are putting yourself out there, knowing that many of us are going to disagree with you, and that takes a certain amount of courage. I, for one, want to know what folks like you are thinking, but two things strike me. One is your fuzzy take on history (See Steve B's comments); the other is your assumption that government is a zero sum game. You say,

"Remember, the government cannot give anything to anyone that they have not first taken away from someone else."

Our fates as citizens are intermingled; life is not a matter of grabbing what you need from whomever has it; that is not what taxes are about. If every man/woman goes it alone, they may retain their independence but they'll have lost their humanity, they will have foregone what makes us human: our ability to have relationships with others. Nature is cruel; evolution is cruel. Human civilization is an effort to bring justice and mercy into a world that would otherwise have neither. Cultures don't survive because each individual exists in a self-contained world; they flourish when everyone works together and everyone is included.

What do you consider to be Obama's "ice cream?" I agree with you that most people will go with what seems quick, easy, and desirable. But the fault lies not just with Olivia, but with the class that was too stupid to recognize how they were being manipulated. Obama has worked for the things he said he would--against almost insurmountable odds. Romney (to take one example) promises jobs, but he gives no idea of where he'll get them. He wants to repeal Obamacare and replace it, but he doesn't say with what.

I know it's hard when you believe strongly in something to stay calm. Thank god for four-letter words, is all I can say. But anger creates a fog that is impossible to see through. I urge you to read Obama's speech again and see if you find one single thing in it that is objectionable. If you do, please let me know.

20120628-02	10:47	Art	Fw: BREAKING NEWS: The Affordable Care Act Has Been Preserved (to translate for Republicans—OBAMACARE LIVES & BREATHEES!)
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Good news, methinks, although it should never have even been a Supreme Court question.

from Progress VA:

BREAKING NEWS: *the Affordable Care Act has been preserved. Just moments ago, the Supreme Court upheld President Obama's Affordable Care Act in a landmark decision.*

This is an enormous victory for all Virginians. Now that any issues of constitutionality have been settled, we can rest assured that we're in charge of our health care decisions, not insurance company CEOs.

20120628-03	11:59	SteveB	Re: OBAMACARE LIVES & BREATHEES! (reply to Art, above)
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YES! FINALLY, SOME GOOD NEWS!

20120628-04	12:48	Pam	Re: OBAMACARE LIVES & BREATHEES! (reply to Art, above)
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Good news, but still nervous...

I can hardly believe it, but the right (right side!) has triumphed. The new health care law is the first real progress this country has made in this area since Medicare and Medicaid. Without the individual mandate, insurance premiums would soar. Now we have a chance to rationalize the system. I still say universal coverage and single payer is the way to go, but Romney, McConnell, and their ilk won't let go of their ideology, no matter what. A majority of Americans like what's in the bill, if you ask about each item individually. It's just "Obamacare" that freaks them out, and the reasons for that have nothing to do with cost or fairness or getting our asses out of the 19th c. I could scream when I listen to Romney say he'll repeal the law on his first day in office. The choice couldn't be more clear. Obama has simply got to hammer home the idea that health care should not cause financial ruin. He's said this, but he needs to be more emphatic. He never raises his voice. I think now is the time to show a little passion. I hope Obama wins in Nov., because I'd like to start breathing again.

20120628-06	13:54	SteveB	Re: OBAMACARE LIVES & BREATHEES! (reply to Pam & Art, above)
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It really is a very good day. Chief Justice Roberts is the one, perhaps, honorable conservative on the High Court.

But, I suppose, next, the Republicans will maintain that it's unconstitutional for government to tax. That's the essence of what they believe, anyway, except maybe taxes strictly for defense and fighting riots, though they won't admit it. And it looks like this Court thinks even rather weird "taxes" are constitutional, so that doesn't look good for the antiredistributionist Right, either.

More passion from the top sounds very good to me (though we don't know what happened after that photo of the First Couple dancing...).

20120628-07 15:41 SteveB Re: OBAMACARE LIVES & BREATHES! (reply to Pam & Art, above)

It looks like Mitt is going to handle his Obamacare debacle the same way he did saving the U.S. auto industry...on the side opposite the American people and what, at least in Detroit's case, has been proven to be what's best for America.

From <http://www.politico.com/news/stories/0612/77969.html>:

Mitt Romney reacted in exactly the same way he's handled nearly every challenge to his 2012 presidential campaign. He dug in. The former Massachusetts governor, who has repeatedly and stridently accused Obama of enacting an unconstitutional health care law, declared in Washington, D.C., that his view of the Affordable Care Act was unchanged. Obama's law is still a violation of personal freedom, Romney said, and it's still bad for the economy.

All those billionaires are starting to get a little worried, Mitt...especially with the new swing state poll numbers that have come out recently showing the President in pretty solid Electoral College shape. And now home sales are continuing to pick-up...gasoline prices are coming down...must be a socialist conspiracy. I'd sure hate to have those billionaires mad at me!

20120628-08 16:00 Beth Re: OBAMACARE LIVES & BREATHES! (reply to SteveB, above)

I think Justice Roberts came to a realization that he had his own legacy to protect and he determined that he did not want his legacy to be that he was a political hack who decided every case in lockstep with the conservatives.

20120628-09 16:58 SteveB Re: OBAMACARE LIVES & BREATHES! (reply to Beth, above)

I think you're exactly right, Beth.

20120628-10 17:03 Art Re: No Praise, Only Blame for President Obama (reply to SteveB, FotM Newsletter #167 & above)

I hate to be the one to tell you this, but yesterday I read that the Republicans have stoutly claimed that President Obama has had nothing to do with the price of gasoline going down. Yes, he was directly responsible for the price going up, but apparently has nothing to do with it going the other direction.

Just thought you should know.

20120628-11 17:56 Pam Re: No Praise, Only Blame for President Obama (reply to Art, above)

Wow. It pays to be well informed. Now somebody tell the Republicans. They invent the individual mandate, then when Obama says, OK, they turn on a dime. Nitwit is too kind a word to describe them.

20120628-12 18:34 SteveG Re: No Praise, Only Blame for President Obama (reply to Pam, above)

How about nimrod?

[20120628-14](#) 19:32 Pam Re: No Praise, Only Blame for President Obama (reply to SteveG, above)

That works.

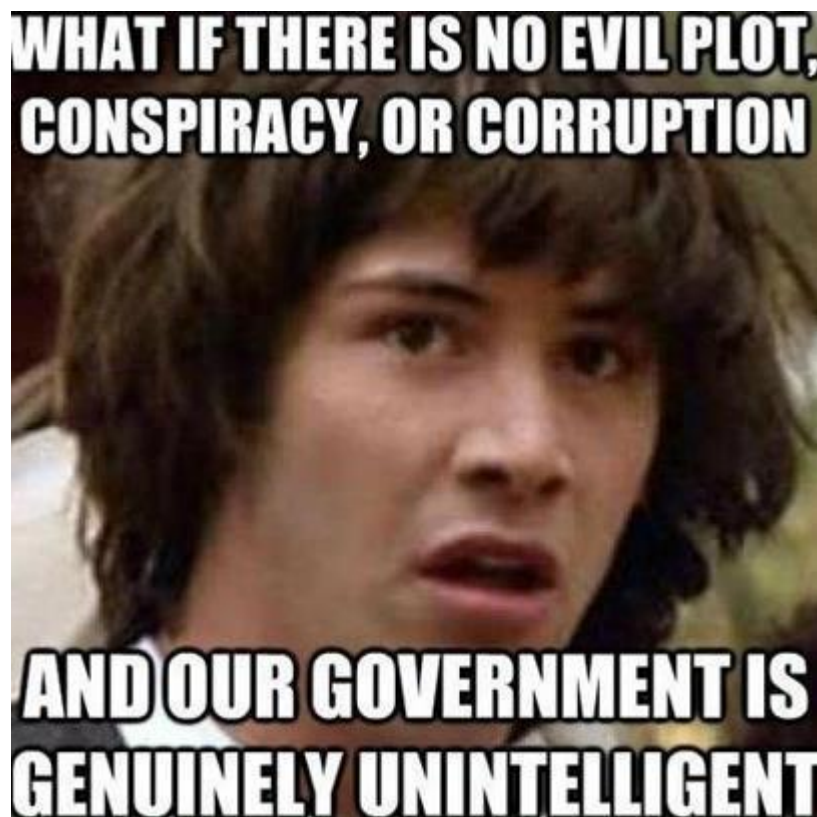
[20120628-13](#) 19:21 Art Re: No Praise, Only Blame for President Obama (reply to SteveG, above)

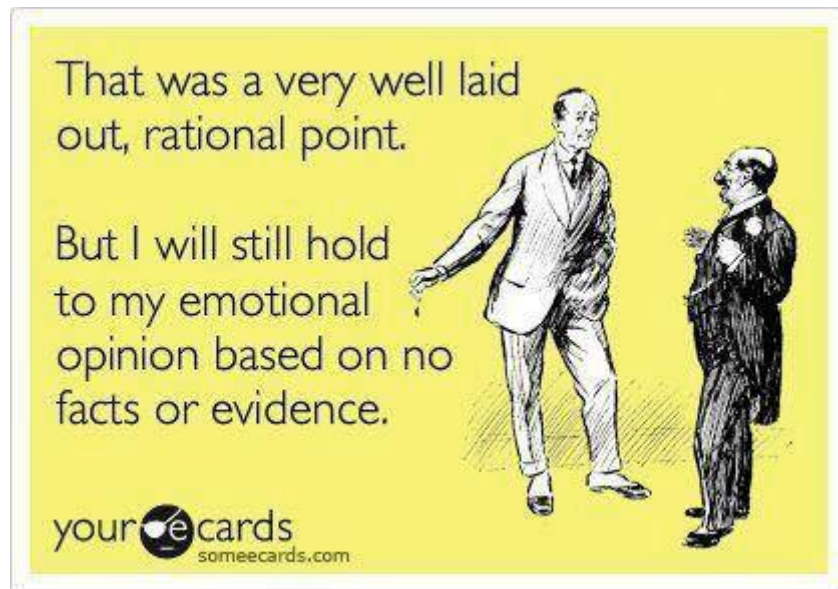
I had something a bit more descriptive in mind.

[20120628-15](#) 21:21 SteveG Re: No Praise, Only Blame for President Obama (reply to Art, above)

I'll go with your comment.

[20120628-16](#) 23:57 SteveG Graphic: What If There Is No Evil Conspiracy?





http://photo.net/photodb/photo?photo_id=6959375

<http://www.baxterstateparkauthority.com/>

Chimney Pond, Mt. Katahdin, Baxter State Park, Maine (Bill Burke)



—Friends of the Middle,
Steven W. Baker (SteveB), Editor/Moderator

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