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WASHINGTON INSIDE OUT

## The Unprecedented—and Contemptible— Attempts to Sabotage Obamacare

**Doing everything possible to block the law's implementation is not treasonous—just sharply beneath any reasonable standards of elected officials.**

by [Norm Ornstein](#)

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When Mike Lee pledges to try to shut down the government unless President Obama knuckles under and defunds Obamacare entirely, it is not news—it is par for the course for the take-no-prisoners extremist senator from Utah. When the Senate Republicans' No. 2 and No. 3 leaders, John Cornyn and John Thune, sign on to the blackmail plan, it is news—of the most depressing variety.

I am not the only one who has written about House and Senate Republicans' monomaniacal focus on sabotaging the implementation of Obamacare—Greg Sargent, Steve Benen, Jon Chait, Jon Bernstein, Ezra Klein, and many others have written powerful pieces. But it is now spinning out of control.

It is important to emphasize that this set of moves is simply unprecedented. The clear comparison is the Medicare prescription drug plan. When it passed Congress in 2003, Democrats had many reasons to be furious. The initial partnership between President Bush and Sen. Edward Kennedy had resulted in an admirably bipartisan bill—it passed the Senate with 74 votes. Republicans then pulled a bait and switch, taking out all of the provisions that Kennedy had put in to bring along Senate Democrats, jamming the resulting bill through the House in a three-hour late-night vote marathon that blatantly violated House rules and included something close to outright bribery on the House floor, and then passing the bill through the Senate with just 54 votes—while along the way excluding the duly elected conferees, Tom Daschle (the Democratic leader!) and Jay Rockefeller, from the conference committee deliberations.

The implementation of that bill was a huge challenge, and had many rocky moments. It required educating millions of seniors, most not computer-literate, about the often complicated choices they had to create or change their prescription coverage. Imagine if Democrats had gone all out to block or disrupt the implementation—using filibusters to deny funding, sending threatening letters to companies or outside interests who mobilized to educate Medicare recipients, putting on major campaigns to convince seniors that this was a plot to deny them Medicare, comparing it to the ill-fated Medicare reform plan that passed in 1989 and, after a revolt by seniors, was repealed the next year.

Almost certainly, Democrats could have tarnished one of George W. Bush's signature achievements, causing Republicans major heartburn in the 2004 presidential and congressional elections—and in the process hurting millions of Medicare recipients and their families. Instead, Democrats worked with Republicans, and with Mark McClellan, the Bush administration official in charge of implementation, to smooth out the process and make it work—and it has been a smashing success.

Contrast that with Obamacare. For three years, Republicans in the Senate refused to confirm anybody to head the Centers for Medicare and Medicaid Services, the post that McClellan had held in 2003-04—in order to damage the possibility of a smooth rollout of the health reform plan. Guerrilla efforts to cut off funding, dozens of votes to repeal, abusive comments by leaders, attempts to discourage states from participating in Medicaid expansion or crafting exchanges, threatening letters to associations that might publicize the availability of insurance on exchanges, and now a new set of threats—to have a government shutdown, or to refuse to raise the debt ceiling, unless the president agrees to stop all funding for implementation of the plan.

I remember being shocked when some congressional Democrats appeared to be rooting for the surge in troops in Iraq to fail—which would mean more casualties among Americans and Iraqis, but a huge embarrassment for Bush, and vindication of their skepticism. But of course they did not try to sabotage the surge by disrupting funding or interfering in the negotiations in Iraq with competing Shiite, Sunni, and Kurdish power centers. To do so would have been close to treasonous.

What is going on now to sabotage Obamacare is not treasonous—just sharply beneath any reasonable standards of elected officials with the fiduciary responsibility of governing. A good example is the letter Senate Republican Leaders Mitch McConnell and Cornyn sent to the NFL, demanding that it not cooperate with the Obama administration in a public-education campaign to tell their fans about what benefits would be available to them and how the plan would work—a letter that clearly implied deleterious consequences if the league went ahead anyhow. McConnell and Cornyn got their desired result. NFL Commissioner Roger Goodell quickly capitulated. (When I came to Washington in 1969-70, one of my great pleasures was meeting and getting to know Charles Goodell, the courageous Republican senator from New York who took on his own president on Vietnam and was quietly courageous on many other controversial issues. Roger Goodell is his son—although you would not know it from this craven action.)

When a law is enacted, representatives who opposed it have some choices (which are not mutually exclusive). They can try to repeal it, which is perfectly acceptable—unless it becomes an effort at grandstanding so overdone that it detracts from other basic responsibilities of governing. They can try to amend it to make it work better—not just perfectly acceptable but desirable, if the goal is to improve a cumbersome law to work better for the betterment of the society and its people. They can strive to make sure that the law does the most for Americans it is intended to serve, including their own constituents, while doing the least damage to the society and the economy. Or they can step aside and leave the burden of implementation to those who supported the law and got it enacted in the first place.

But to do everything possible to undercut and destroy its implementation—which in this case means finding ways to deny coverage to many who lack any health insurance; to keep millions who might be able to get better and cheaper coverage in the dark about their new options; to create disruption for the health providers who are trying to implement the law, including insurers, hospitals, and physicians; to threaten the even greater disruption via a government shutdown or breach of the debt limit in order to blackmail the president into abandoning the law; and to hope to benefit politically from all the resulting turmoil—is simply unacceptable, even contemptible. One might expect this

kind of behavior from a few grenade-throwing firebrands. That the effort is spearheaded by the Republican leaders of the House and Senate—even if Speaker John Boehner is motivated by fear of his caucus, and McConnell and Cornyn by fear of Kentucky and Texas Republican activists—takes one's breath away.

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