



## **Obama Law Prof: After Halbig Decision ‘I Wouldn’t Bet’ on Obamacare Surviving**

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President Obama’s Harvard Law professor, Laurence Tribe, has said he “wouldn’t bet the family farm” on Obamacare surviving another Supreme Court review.

Tribe reiterated that position in the wake of the federal appeals court ruling which found that the government subsidies used to help millions of people purchase insurance through HealthCare.gov are not legal, according to language in Obamacare itself.

Obamacare only provides subsidies for people enrolled in an exchange established ‘by’ the State, while only 16 states established their own exchanges, leaving the rest to rely on federal exchanges.

Tribe was critical of the ruling, and said he was cynical of Obamacare’s chances with “judges who pay very little attention to the purpose of the law.”

Tribe also predicted that, in the Supreme Court, the decision would come down to Chief Justice John Roberts, another former student of his.

Gretchen Carlson of Fox News asked Tribe to respond to criticism from the Cato Institute’s Michael Cannon, who helped design this legal challenge to Obamacare. Cannon has accused Tribe of “trying to coach the Supreme Court on how to rule for the government here.”

Tribe rejected that allegation, but maintained that Roberts is likely to uphold the subsidies because he has “common sense” and would not emphasize the “little word ‘by’” in “exchange run ‘by’ the state” on which the challenge to Obamacare hinges.