

Dems Challenge GOP Lawmakers To Give Up Coverage

Paul Barton from Washington, DC

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WASHINGTON – Capitol Hill Democrats dare Republicans who fulminate against the new health care law to “walk the walk” by leaving the government health plan they enjoy as members of Congress.

Some policy experts say lawmakers of both parties may have to give up their current health plan by 2014, whether they want to or not.

“It is time for Republicans to put their proverbial money where their mouth is,” Rep. Joseph Crowley, D-N.Y., said in a statement.

Crowley was one of almost 60 House Democrats who recently signed a letter issuing the challenge. In it, the Democrats referred to the Federal Employees Health Benefits Plan, which allows lawmakers and other federal employees to choose from competing health care options offered by private insurance. The government helps with the cost. Members of Congress have long given the program high marks.

Likewise, the new health care law, the Patient Protection and Affordable Care Act, would let Americans choose from competing health plans offered through new state-based markets called “exchanges.” Some would receive government subsidies to help them purchase policies. It aims to extend coverage to at least 30 million of the 51 million who now lack health insurance.

“If Republicans are willing to repeal coverage for millions of Americans, they have no right to accept employer-subsidized FEHBP health insurance or complain about the quality of coverage they are trying to prevent others from having,” added Rep. Donna Edwards, D-Md.

Republican talk about repealing the health care act, which they mockingly call “Obamacare,” revved up this week when U.S. District Judge Henry Hudson of the Eastern District of Virginia declared unconstitutional the law’s requirement that most individuals who lack insurance purchase it beginning in 2014 - or face a income tax penalty.

While the judge ruled the mandate unconstitutional, however, he did not block implementation. The constitutionality of the individual mandate is being

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argued in several similar cases filed nationwide and is expected to reach the Supreme Court within a year or two.

Still, House GOP members see the ruling as all the more reason to act on their own when they retake the majority in the 112th Congress next month.

"Once the new Republican majority assumes control of the House in January, we will pass a clean repeal of ObamaCare," incoming House Majority Leader Eric Cantor of Virginia said in a statement after the ruling.

But at least one leading political analyst said Republicans better be careful about the amount of time they devote to the issue in 2011.

"The more fire there is about this, the more voters could say, 'You promised to focus on jobs but now you're focusing on repealing health care,'" said Norm Ornstein of the American Enterprise Institute, a Washington think tank.

It would be a twist of the argument Republicans used against President Obama in the mid-term elections. They argued he spent too much of his first two years focusing on passing a health care plan the public didn't want instead of on the economy.

While attempting to repeal it may satisfy their base, Republicans are not likely to succeed, Ornstein said, because repeal would mean striking popular provisions of the law, such as protections against pre-existing condition clauses and closing the Medicare prescription "donut hole."

Further, the political analyst said, it's ironic that Republicans complain about individual mandates when several, including Sen. Orrin Hatch of Utah, have offered health care proposals containing the idea.

Sen. Tom Harkin, D-Iowa, a defender of the health care bill, said in a statement that Republicans need "to put themselves in the shoes of children and families who can't see a doctor because they can't afford it."

Harkin added: "This is the law that cracks down on the worst abuses of insurance companies, ensures access to affordable, quality care and also provides the biggest deficit reduction in decades. It would be a grave mistake to allow Republicans to take us back to a situation where insurance companies can abuse and discriminate against ordinary Americans, including children with pre-existing conditions."

Rep. Steve King of Iowa, one of several Republican lawmakers to introduce repeal legislation, failed to respond to repeated requests for comment about Democrats' challenging GOP members to put their "money where their mouth is."

Many lawmakers don't realize it, but the new health care law calls for removal of nearly all of them - Democrats and Republicans - from the FEHBP in 2014 and puts them in insurance exchanges, just like other Americans, said Robert Moffit, health care policy expert at the conservative Heritage Foundation think tank.

Analysts at the conservative-libertarian Cato Institute have come to that conclusion from studying the bill as well.

Sen. Tom Coburn, R-Okla., placed largely forgotten language in the bill during 2009 committee hearings that said Congress should live under any plan it designs for constituents, Moffit said.

In forcing lawmakers out of the FEHBP, Moffit said the new law contradicts Obama administration promises that Americans would get to keep existing health plans if they liked them. "Why don't they (lawmakers) get to keep theirs?" he asked.

As for the challenge of Crowley and other Democrats to House Republicans to get out of the FEHBP immediately, Moffit said it is "superficially clever" but flawed. Parallels between the Affordable Care Act and the plan for federal employees, he said, "are stretched thin." The FEHBP, he said, more resembles the employer-provided options of many American workers. The plan for Congress and federal employees started in 1959.

Moffit said Democrats who challenge Republicans to give up the federal plan

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should say if they would give them additional salary to buy other insurance, since health insurance is generally regarded as a form of compensation.

"This is fungible," the Heritage analyst said.

(Lawmakers who have sponsored or cosponsored bills to repeal the Patient Protection and Affordable Care Act. Source: Library of Congress.)

Rep. Robert Aderholt, R-Ala.
Rep. Todd W. Akin, R-Mo.
Rep. Michele Bachmann, R-Minn.
Rep. J. Gresham Barrett, R-S.C.
Rep. Gus M. Billirakis, R-Fl.
Rep. Rob Bishop, R-Utah.
Rep. Jo Bonner, R-Ala.
Rep. John Boozman, R-Ark.
Rep. Paul C. Broun, R-Ga.
Rep. Henry E. Brown Jr., R-S.C.
Rep. Dan Burton, R-Ind..
Rep. John Campbell, R-Calif.
Rep. John R. Carter, R-Texas.
Rep. Jason Chaffetz, R-Utah.
Rep. Tom Cole, R-Okla.
Rep. John J. Duncan Jr., R-Tenn.
Rep. John Fleming, R-La.
Rep. Trent Flanks, R-Ariz.
Rep. Rodney P. Frelinghuysen, R-N.J.
Rep. Louie Gohmert, R-Texas.
Rep. Bob Goodlatte, R-Va.
Rep. Kay Granger, R-Texas.
Rep. Tom Graves, R-Ga.
Rep. Parker Griffith, R-Ala.
Rep. Ralph M. Hall, R-Texas.
Rep. Jeb Hensarling, R-Texas.
Rep. Wally Herger, R-Texas.
Rep. Peter Hoekstra, R-Mich.
Rep. Bob Inglis, R-S.C.
Rep. Darrell Issa, R-Calif.
Rep. Timothy V. Johnson, R-Ill.
Rep. Walter B. Jones, R-S.C.
Rep. Steve King, R-Ia.
Rep. Jack Kingston, R-Ga.
Rep. Doug Lamborn, R-Calif.
Rep. Robert E. Latta, R-Ohio.
Rep. Connie Mack, R-Fla.
Rep. Kenny Marchant, R-Texas.
Rep. Tom McClintock, R-Calif.
Rep. Candice S. Miller, R-Mich.
Rep. Gary Miller, R-Calif.
Rep. Jerry Moran, R-Kansas.
Rep. Randy Neugebauer, R-Texas.
Rep. Ron Paul, R-Texas.
Rep. Mike Pence, R-Ind.
Rep. Joseph R. Pitts, R-Pa.
Rep. Todd Russell Platts, R-Pa.
Rep. Tom Price, R-Ga.
Rep. George Radanovich, R-Calif.
Rep. Mike D. Rogers, R-Ala.
Rep. Jean Schmidt, R-Ohio.
Rep. John B. Shadegg, R-Ariz.
Rep. Christopher H. Smith, R-N.J.
Rep. Lamar Smith R-Texas.
Rep. Mark E. Souder, R-Ind.
Rep. Cliff Stearns, R-Fla.
Rep. John Sullivan, R-Okla.
Rep. Todd Tiahrt, R-Kan.
Rep. Fred Upton, R-Mich.
Rep. Zach Wamp, R-Tenn.
Rep. Lynn A. Westmoreland, R-Ga.
Rep. Joe Wilson, R-S.C.
Rep. C.W. Bill Young, R-Fla.
Sen. Robert Bennett, R-Utah.

Sen. Christopher Bond, R-Mo.
Sen. Sam Brownback, R-Ks.
Sen. Jim Bunning, R-Ky.
Sen. Richard Burr, R-N.C.
Sen. Saxby Chambliss, R-Ga.
Sen. Tom Coburn, R-Okla.
Sen. Bob Corker, R-Tenn.
Sen. John Cornyn, R-Texas.
Sen. Mike Crapo, R-Idaho.
Sen. Jim DeMint, R-S.C.
Sen. John Ensign, R-N.V.
Sen. Lindsey Graham, R-S.C.
Sen. Kay Bailey Hutchison, R-Texas.
Sen. James Inhofe, R-Okla.
Sen. Jon Kyl, R-Ariz.
Sen. George S. LeMieux, R-Fla.
Sen. John McCain, R-Ariz.
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