

DOCTOR'S ORDERS

Documents suggest health care tailored to benefit labor

'Unions helped write the Obamacare law, then get exempted from it'

By Bob Unruh

Documents obtained from the Obama administration suggest that not only did organized labor have a heavy influence in writing Obamacare, the contested massive takeover by the government of health care decision-making nationwide, but then those same labor groups obtained exemptions so they wouldn't be subject to its rules.

That's according to a report from [Judicial Watch](#), the public interest organization that investigates and prosecutes government corruption.

Officials there today announced they have obtained access to 3,497 pages of documents from Obama's Department of Health and Human Services about the development of the law that is known as Obamacare.

It had to resort to a Freedom of Information Act lawsuit, filed Dec. 30, 2010, in order to obtain the information for the American public.

Judicial Watch President Tom Fitton said the paperwork reveals some of the manipulations that have gone on over the law that essentially requires, under threat of financial and other penalties, that people purchase the health insurance that the government determines is best for them.

"This first batch of documents has the gory bureaucratic details of the Obamacare mess," Fitton said. "The Obama administration has tried to keep its government takeover of health care veiled in secrecy, especially the details of these waivers. Waiving the law for 3.4 million Americans is unfair and an affront to the rule of law."

The waivers are special exemptions granted mostly to labor unions by the Obama administration that means they don't have to submit to requirements of the federal law, requirements to which others not favored with exemptions must submit to and pay for.

"It seems corrupt when political supporters in Big Labor are getting a disproportionate number of waivers from Obamacare. Unions helped write the Obamacare law, and then get exempted from it! Now Big Labor is paying back these waiver favors with campaign support for Barack Obama," Fitton said. "Judicial Watch is committed to bringing as

much transparency as possible to Obamacare, especially this ongoing abuse of the 'waiver' process."

He noted the enthusiasm exhibited by labor leader Jimmy Hoffa of the Teamsters over the Labor Day weekend.

At a rally that was attended by Barack Obama, he blasted the tea party members – those who want a restoration of a limited government in Washington and a return to the rule of the Constitution.

He demanded that attendees get out the vote for Obama, saying, "President Obama, this is your army ... Everybody here has got to vote. If we go back and we keep the eye on the prize, let's take these sons of b---es out and give America back to America where we belong."

The documents uncovered by Judicial Watch include internal HHS e-mails and strategy documentation and administration communications with unions and companies seeking special privileges from Obama.

"The majority of the communications related to the granting of waivers by the secretary of HSS exempting companies and unions from the minimum annual cap on the amount payable to an individual in benefits," the report said. "Such waivers enable companies and unions to keep their existing plans in place until Jan. 1, 2014."

The documentation, according to Judicial Watch, reveals 1,472 one-year waivers and 106 three-year waivers, covering 3.4 million people. More than half of those are union workers.

"Yet, according to the U.S. Bureau of Labor Statistics, union members account for only about 12 percent of the total workforce," the report said.

Previously, the organization obtained HHS data revealing closed-door meetings about health care between numerous union officials and Vice President Joe Biden, HHS Secretary Kathleen Sebelius, former House Speaker Nancy Pelosi and others.

Among those attending were Richard Trumka of the AFL-CIO, Andy Stern of Service Employees International Union and Hoffa.

"The documents suggest that the key provisions of the Obamacare law were written solely to address the concerns of unions," the Judicial Watch report said.

The Obamacare law has been targeted by a flood of lawsuits since the president signed it more than a year ago. Court rulings, however, so far have differed, with some courts believing that it is constitutional and others declaring it unconstitutional. It is expected to be resolved by the U.S. Supreme Court, which to affirm it would have to agree that the government has the authority to order a person sitting in his or her own home to buy a

health insurance product specified by the government because not to do so would impact "interstate commerce."

In one of the decisions in the saga of Obamacare released just today, the 4th Circuit Court of Appeals refused to rule on the constitutionality of the law, concluding instead that the state of Virginia couldn't pursue a case because the "individual mandate" – which requires all citizens under threat of penalty to purchase health insurance – applies to individuals, not a state.

"From the beginning everyone knew that the final frontier in the battle over Obamacare would be the United States Supreme Court," said a statement from Liberty Counsel.

The American Center for Law and Justice said the 4th Circuit ruling was disappointing.

But chief counsel Jay Sekulow said the decision "does nothing to change the legal track of Obamacare – a constitutionally flawed law that ultimately will be decided by the U.S. Supreme Court."

Ilya Shapiro, of the Cato Institute, said now there is "no reason for the Supreme Court to delay its review."

"It's' time to finally put an end to the uncertainty over the fate of [Obama's] most economically damaging piece of legislation," Shapiro said.

The 4th Circuit also dismissed a second lawsuit from Liberty University for the same reason, although the university has pointed out that it will subject to penalties in the law, too.

Two of the judges who made a majority for the 4th Circuit decision owe their lifetime appointments to Obama.