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GOP Pushes for Healthcare Repeal

Getting rid of healthcare reform entirely is unlikely, but Republicans look for ways to chip away at the law

By ALEX M. PARKER Posted: December 2, 2010

During the midterm election campaign, Republicans of all stripes united under one promise: to repeal healthcare reform. It was a key plank in the "Pledge to America," the campaign platform unveiled by House Minority Leader John Boehner, and it became a rallying cry for Tea Party-backed candidates throughout the country.

Days after the election, however, Senate Minority Leader Mitch McConnell admitted that, so long as President Obama is in office, an outright repeal of the Affordable Care Act will be nearly impossible. But the incoming Republican majority in the House, and the newly strengthened minority in the Senate, will have a variety of tools at their disposal to chip away at the healthcare law. [See photos of healthcare protests.]

Virginia Rep. Eric Cantor, the future House majority leader, promised on election night that the GOP would force a House vote on a full repeal "right away." The effort would be mostly symbolic, as the bill would die in the Democratic Senate. Opponents of the law might find common ground with some Democrats to repeal or alter certain provisions, such as a tax reporting requirement that small businesses claim is burdensome. Republicans will likely also use the House oversight committees to give administration officials headaches. "You can slow down implementation considerably through the oversight process," says William Galston, a former Clinton White House official and fellow at the Brookings Institution.

The biggest showdowns over healthcare reform in the next two years will no doubt take place in the budget process. With control of the House Appropriations Committee, the GOP could try to force Obama and Senate Democrats to defund the law. But there are many hurdles to this approach.[See which industries give the most to Congress.]

For instance, the law includes subsidies to help poorer families buy health insurance. But that funding, and many of the law's programs, are considered entitlements, like Social Security or Medicare, which are guaranteed by law and cannot be touched by yearly spending bills. Smaller parts of the law could be affected by the annual budget, and Republicans are sure to try to use their end of the appropriations process to scale the measure back.

Republicans could also use the process to prevent the administration from enforcing the law. Some Republicans have already suggested attaching amendments to spending bills that would prohibit the IRS, which is tasked with determining who has insurance, from using any of its budget to enforce the individual mandate.

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Michael Tanner, an analyst with the libertarian-leaning Cato Institute, says he doesn't expect the GOP to use its power of the purse to try to repeal funding for the entire law, because it would likely force a showdown with the Obama administration and a possible government shutdown. "I know the base would love that, but it would give the administration its strongest stand," Tanner says. But the party could try to pick off various unpopular provisions, undermining its overall reach.

At the very least, the battle over repeal will be a test of wills between the administration and its newly empowered critics.

- See photos of healthcare reform protests.
- See photos from the final week of the healthcare debate.
- See a slide show of 10 things that are (and aren't) in the healthcare bill.

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