Congress Can and Should Fund Government Without Obamacare Now

The time to fight is now.

- Fewer than 60 days remain until enrollment in Obamacare exchanges begins on October 1 and the largest entitlement of our generation takes root. This is the best opportunity to defeat it.
- There is bipartisan agreement that Obamacare is a failure.
    - Lead Senate author, Democrat Max Baucus, describes it as a "huge train wreck."[1]
    - Union opposition is growing, and Teamsters President James P. Hoffa has said Obamacare will "destroy the foundation of the 40 hour work week that is the backbone of the American middle class" and "destroy the very health and wellbeing of our members along with millions of other hardworking Americans."[2]
    - The IRS employees' union urges exemption for its members—the very individuals who will enforce Obamacare for the rest of us.[3]
    - In 2010, 74% of moderate and conservative Democrats supported Obamacare. But just 46% expressed support in a July 2013 ABC/Washington Post poll, down 11 points in the past year. Further, only 58% of Democrats overall now support the law, down from 68 % last year and the lowest since the law was enacted in 2010. [4]

The wheels are coming off.

- President Obama admitted failure when he unilaterally—and unlawfully—delayed the employer mandate and waived verification of eligibility for government subsidies.
    - His political decision delays the pain for big corporations until after the next elections. **The American people deserve a waiver, too.**
- A June 2013 NBCNews/WSJ poll recorded 49% of respondents calling Obamacare a bad idea—its highest on record—while **only 37% of Americans think Obamacare is a good idea.**[5]

Obamacare can be defunded. Here's how to do it.

- Government funding through the Continuing Resolution (CR) will expire on September 30.
- **The House should pass a CR to fund the entire federal government, except for Obamacare**.
    - To do so, the CR should include the Defund Obamacare Act (H.R. 2682/S. 1292) to explicitly prohibit mandatory and discretionary Obamacare spending.
- If Republicans stand together, with 218 votes in the House and 41 in the Senate, we can win. House Republicans should send the Senate a CR that fully funds the government without funding Obamacare, and Senate Republicans should ensure that no CR providing Obamacare funding is signed into law.
- If Republicans do this, President Obama and Harry Reid will falsely accuse Republicans of threatening a government shutdown. But only they control **whether to shut down the government just to implement their failed law. We must go straight to the American people and *win the argument* to sustain the willpower to deny Obamacare funding.**
- ***The only thing lacking to defund Obamacare is political will.*** This fight cannot be won if

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[1] The Hill, April 17, 2013, available at: http://thehill.com/blogs/healthwatch/health-reform-implementation/294501-baucus-warns-of-huge-train-wreck-in-obamacare-implementation

[2] Wall Street Journal, July 12, 2013, available at: http://blogs.wsj.com/corporate-intelligence/2013/07/12/union-letter-obamacare-will-destroy-the-very-health-and-wellbeing-of-workers/

[3] Washington Examiner, July 26, 2013, available at: http://washingtonexaminer.com/irs-employee-union-we-dont-want-obamacare/article/2533520

[4] http://www.washingtonpost.com/blogs/the-fix/wp/2013/07/23/moderate-democrats-are-quitting-on-obamacare/

[5] NBC News, June 6, 2013, available at: http://firstread.nbcnews.com/_news/2013/06/06/18781204-health-care-laws-unpopularity-reaches-new-highs?lite

Americans do not rise up and demand it. Every member of Congress should hear from every concerned citizen he or she represents.

The CRS report relied on by opponents is a red herring.

- Concluding that Obamacare will receive funding during a temporary shutdown, CRS responded to a claim nobody has made.
- A government shutdown has never been the goal.
- The only way to fully defund Obamacare is to pass a CR with language expressly prohibiting all mandatory and discretionary spending for the law, such as the Defund Obamacare Act.

If not defunded now, Obamacare will cause severe damage.

- <u>Obamacare will devastate an already ailing economy.</u>
    - Obamacare will reduce the labor force by 800,000 over the next decade.[6]
    - 41% of small business owners have delayed plans to hire new employees, and 38% say they have delayed plans to grow their businesses in direct response to the law.[7]
    - A 2013 U.S. Chamber of Commerce survey found 71% of small businesses say Obamacare makes it harder to hire workers. [8]
    - By requiring employers with 50 or more full-time workers who work at least 30 hours per week to provide Obamacare-approved insurance or pay a fine, Obamacare incentivizes only part-time employment.
        - As of July 2013, 8.2 million Americans were working part-time schedules.[9]
        - In 2013, fully 77% of positions added to the workforce were part-time; while only 23% were full-time. [10]
        - In 2011, the poverty rate for year-round, full-time workers was only 2.8%, but the poverty rate for those working less was 16.3%.[11]
    - Obamacare takes more than a trillion dollars out of the private economy through 20 new or increased taxes.[12]
- <u>Obamacare will destroy American healthcare.</u>
    - CBO estimated a loss of employer-sponsored coverage for 7 million people.[13]
        - According to another estimate, as many as 35 million American could lose their current employer sponsored insurance. [14]
        - In response to a survey, 30% of employers reported they would "definitely or probably" stop offering employer sponsored insurance after 2014."[15]

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[6] Testimony of Douglas Elmendorf, Director of the Congressional Budget Office, before the Subcommittee on Health Committee on Energy and Commerce U.S. House of Representatives on March 30, 2011, available at: http://www.cbo.gov/sites/default/files/cbofiles/ftpdocs/121xx/doc12119/03-30-healthcarelegislation.pdf

[7] Gallup Poll, May 10, 2013, available at: http://www.gallup.com/poll/162386/half-small-businesses-think-health-law-bad.aspx

[8] U.S. Chamber of Commerce First Quarter 2013 Small Business Survey, available at: http://www.uschambersmallbusinessnation.com/community/q1-2013-small-business-survey

[9] Republican Policy Committee Report, July 9, 2013, available at: http://www.rpc.senate.gov/policy-papers/president-obamas-part-time-economy

[10] Washington Times, August 2, 2013, available at: http://www.washingtontimes.com/news/2013/aug/2/part-timer-nation-77-%-2013-jobs-were-part-t/

[11] US Census Bureau Report, Issued September 2012, Page 22, available at: http://www.census.gov/prod/2012pubs/p60-243.pdf

[12] House Ways and Means Committee, Tax Tracker, Wednesday, July 25, 2012, available at: http://waysandmeans.house.gov/news/documentsingle.aspx?DocumentID=304547

[13] Congressional Budget Office Report, February 2013, available at: http://timeswampland.files.wordpress.com/2013/02/cbo-budget-2013-2023.pdf

[14] American Action Forum, Labor Markets and Health Care Reform: New Results, May 2010, available at: http://americanactionforum.org/files/AAF_Labor%20Markets%20and%20Health%20Care%20Reform_5-27-2010.pdf?phpMyAdmin=yVaoFIsOJaixGsCDQKevn,gw,Q9

- The average cost of premiums for family coverage has risen by more than $3,000 since 2008, despite President Obama's repeated promises that families would save $2,500 by the end of his first term.[16]
- It is estimated that 80% of Americans aged 21 to 29 earning more than $16,000 will pay more out of pocket for coverage under Obamacare than they pay today.[17]
- Wait times could increase under Obamacare. One study found: "insuring between 32 million and 34 million additional people...there could be between 848,000 and 901,000 additional emergency room visits every year."[18]
- "Over the next one to three years, more than 50% of physicians will cut back on patients seen, work part-time, switch to concierge medicine, retire, or take other steps likely to reduce patient access."[19]
- CBO projects that even after Obamacare is implemented, 31 million Americans will not have health insurance. [20]

- <u>Obamacare will create a bureaucratic nightmare.</u>
  - The law has already generated nearly 20,000 pages of related rules and regulations.[21]
  - It is estimated that Obamacare will add an annual paperwork burden to businesses totaling nearly 190 million hours or more.[22]
  - Obamacare creates at least 159 new agencies, boards, and commissions. CRS stated that the actual number of such new entities is "unknowable."[23]
  - The IRS plans to devote nearly 2,000 full-time bureaucrats to implementation in 2014.[24]
  - Obamacare grants the IRS 47 new powers for implementation.[25]

The Constitution grants Congress the "power of the purse," which serves as the most important check and balance against an overreaching executive.

- James Madison described this power in The Federalist No. 58, saying: "This power over the purse may, in fact, be regarded as <u>*the most complete and effectual weapon*</u> with which any constitution can arm the immediate representatives of the people, <u>*for obtaining a redress of every grievance*</u>, and for carrying into effect every just and salutary measure." (emphasis added)

<u>Republicans agree: Obamacare must be stopped. We can stop it from hurting even more Americans if we stand together and fight on principle to defund it.</u>

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[15] McKinsey & Company, February 2011 Survey, available at: http://www.mckinsey.com/insights/health_systems_and_services/how_us_health_care_reform_will_affect_employee_benefits

[16] Kaiser Family Foundation Employer Health Benefits Annual Survey 2012, Page 46, available at: http://kaiserfamilyfoundation.files.wordpress.com/2013/03/8345-employer-health-benefits-annual-survey-full-report-0912.pdf

[17] Kurt Gisea and Chris Carlson, *My Generation*, Contingencies, January 2013, available at: http://www.contingenciesonline.com/contingenciesonline/20130102#pg33

[18] John Goodman, Health Affairs Blog, July 12, 2010, available at: http://healthaffairs.org/blog/2010/07/12/what-will-happen-to-emergency-room-traffic/

[19] Physicians Foundation Biennial Survey, September 2012, available at: http://www.physiciansfoundation.org/news/comprehensive-survey-of-13575-us-physicians-points-toward-substantial-chall/

[20] Congressional Budget Office Budget Projections Fiscal Years 2013-2023, available at: http://www.cbo.gov/publication/44176

[21] Senate HELP Committee estimate made with Administration rule-making notices, July 2013

[22] House Energy and Commerce Committee Obamacare Burden Tracker, May 7, 2013, available at: http://energycommerce.house.gov/press-release/190-million-hours-and-counting-obamacare-burden-keeps-growing-and-growing

[23] Congressional Research Service, New Entities Created Pursuant to the Patient Protection and Affordable Care Act, July 8, 2010

[24] US Treasury, Internal Revenue Service in the President's FY 2014 Budget, available at: http://www.treasury.gov/about/budget-performance/CJ14/10.%20IRS%20CJ%20FINAL%20v2.pdf

[25] Government Accountability Office Report, June 2011, available at: http://www.gao.gov/assets/330/320403.pdf