



Written by [Alex Newman](#) on May 4, 2017

GOP House Keeps Much of ObamaCare in “Repeal and Replace” Bill

Despite virtually every Republican at the federal level running on a platform of repealing ObamaCare, the GOP-controlled House of Representatives just voted to retain the bulk of it under the guise of “repeal and replace.” Now, in addition to keeping in place a dizzying array of unconstitutional and destructive federal meddling in healthcare, Republicans have ensured that they will get the blame as costs continue to surge and care becomes increasingly difficult to access. Everyday Americans and constitutional governance, as usual, will be the main losers. Now the fight moves to the Senate, where analysts expect lawmakers to retain even more of ObamaCare.



The vote in the House was extremely close, with 213 against and 217 in favor. All Democrats, along with some Republicans, voted against the legislation, dubbed the [“American Health Care Act”](#) (AHCA). Indeed, media outlets reported that Democrats in the House taunted Republicans, singing “na na, na na na na, hey hey hey, goodbye,” apparently a reference to their belief that GOP lawmakers will be defeated in the 2018 mid-term elections due to their vote. House Democrat leader Nancy Pelosi called the bill “a zombie, even more scary than before.” A coalition of Big Government Republicans also opposed it. Some liberty-minded Republicans, meanwhile, opposed it for not getting rid of ObamaCare.

The bill does cut back some of the taxes imposed under ObamaCare. But despite deceptive coverage of the bill by much of the establishment media, which went along with the ruse that the AHCA repeals ObamaCare, the legislation actually keeps huge swaths of the unconstitutional statute in place. For instance, under the GOP version of ObamaCare, most of ObamaCare’s regulations, mandates, decrees, and meddling are kept firmly in place. It keeps subsidies for insurance, and penalties for not having it, but changes a few relatively minor elements. While the bill purports to “allow” states to “apply” for waivers from some mandates, the legislation simply requires that states create what critics slammed as “mini-ObamaCare” schemes at the state level to obtain the exemptions.

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Trump was evidently pleased with it, though. “Insurance companies are fleeing ObamaCare – it is dead,” he said on social media, correctly noting that ObamaCare was imploding in on itself as insurers withdrew in large numbers. “Our healthcare plan will lower premiums and deductibles – and be great healthcare!” Illustrating a possible lack of constitutional understanding, or perhaps a willingness to put politics above the Constitution, Trump vowed that “we’re going to take care of a lot of people” and their health needs, and that “we’ve all fought very hard to be able to do that.” The feds have no constitutional power to do that.



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Speaking from the Rose Garden at the White House after the legislation was approved in the House, Trump again claimed the bill would reduce premiums and deductibles, something disputed by a wide array of special-interest groups and analysts. Trump also argued that the bill was “incredibly well crafted.” “Make no mistake about it, this is a repeal and replace of Obamacare,” he insisted, adding that it would get through the Senate. Establishment GOP leaders in Congress also celebrated the measure as if it represented the fulfillment of their promise to repeal ObamaCare.

But more than a few critics among conservatives and constitutionalists rejected the phony narrative. Among the principled Republicans who stood firm against the scheme was Representative Andy Biggs, a freshman from Arizona. “I have opposed the AHCA from the very beginning because it is not a clean repeal of Obamacare,” he explained. “While I applaud all the hard work of the House Freedom Caucus, which has made every effort in recent weeks to improve this legislation, the final bill unfortunately does not meet the promises I made to my constituents.”

Congressman Biggs attempted to get two amendments included in the final legislation to reflect the wishes of his constituents, get the ACHA closer to a full repeal ObamaCare, and lower the “crushing health insurance premiums that are devastating Arizona families,” he said in a [statement posted online](#). “I am disappointed that my amendments will not be included in the final AHCA package,” he added. “However, I remain committed to a full repeal of Obamacare and will continue to work with my colleagues to accomplish this end.”

Other liberty-minded Republicans echoed those concerns using even stronger language. Representative Walter Jones (R-N.C.), for instance, blasted the bill as rushed, highly flawed, and opposed by the constituents he represents. “It’s time to scrap this flawed bill and start over,” he declared in a statement. “Go out across the country, gather people’s input, and use an open, public process to thoughtfully craft a bill that delivers the relief the American people need.” Representative Thomas Massie (R-Ky.), among the most faithful members of Congress when it comes to obeying his oath of office to the Constitution, noted that the ACHA involves “replacing mandates, subsidies and penalties with mandates, subsidies and penalties.”

The conservative and constitutionalist GOP lawmakers who voted “nay” included members of the liberty-oriented House Freedom Caucus. While the [caucus acknowledged earlier that](#) the “revised version still does not fully repeal Obamacare,” most of their members agreed to support it “to keep our promise to the American people to lower healthcare costs.” A number of prominent conservative groups, including Heritage Action for American and FreedomWorks, took a similar position, giving GOP lawmakers cover to vote for the bill because it ostensibly represents progress toward the ultimate goal of eventually repealing ObamaCare.

Some principled grassroots organizations, though, opposed the scheme. The [constitutionalist John Birch Society](#), which publishes this magazine and has chapters across America, has been urging its members to push for a full and complete repeal — and only a full repeal, such as the exact same repeal bill that was repeatedly sent to Obama when Republicans knew he would veto it. Instead of replacing the unconstitutional ObamaCare with something else, the organization called for the federal government to obey the Constitution and get out of healthcare completely, beginning with full repeal of ObamaCare. “We urge our members and supporters to contact their congressmen to let them know not to pass a repeal and replace bill, rather to pass a repeal-only bill,” reads a May 4 statement issued by JBS Vice President for Communications Bill Hahn.

Among other reasons for the group’s firm position are the plain limits on federal power enshrined in the



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Constitution. “When looking at healthcare legislation, we need to ask ourselves, ‘Is there a limit to the federal government? Can it provide for all the needs of its citizens?’ The U.S. Constitution answers this by granting enumerated powers to each of its three branches,” the JBS said. “The power to fund or regulate healthcare is not granted to any branch of the federal government, so according to the 9th and 10th Amendments, the states and the people retain this power. If state legislatures want to offer healthcare to citizens, then that battle should be fought there and not within the U.S. Congress.”

Other liberty-minded organizations, meanwhile, blasted the new bill for keeping in place huge swaths of ObamaCare, including many of the worst provisions responsible for soaring costs and reduced care. “The leadership calls this ‘repeal and replace,’ but it is actually ‘retain and renew,’” explained Campaign for Liberty President Norm Singleton, whose organization urged members to contact Congress and ask that their representatives oppose the scheme. “Like the so-called ObamaCare replacement bill that was pulled from the floor last month, this new bill preserves most of ObamaCare’s regulations and mandates. It also retains the Republican version of the individual mandate that was a centerpiece of Ryan’s original legislation.”

The grassroots leader also suggested that the consequences of this bill would be disastrous for liberty, healthcare, and the GOP. “If Paul Ryan succeeds in retaining and renewing ObamaCare, we may not get another chance to repeal ObamaCare — at least not before the government’s interference causes the health care system to collapse,” Singleton warned, suggesting the GOP would now get the blame for the looming crisis in healthcare. “And if this Republican Congress rams through a phony repeal so they can issue press releases and run campaign ads about how they repealed ObamaCare, they won’t deserve another chance.”

The healthcare vote to keep much of ObamaCare follows another recent betrayal of voters by establishment GOP lawmakers. Under the guise of preventing what they claimed would be a “government shutdown,” establishment Republicans in Congress joined with Democrats to pass a massive spending bill filled with funding for virtually every unconstitutional program and agency they campaigned against. Over 100 liberty-minded Republicans defected. Among other concerns, they noted that the “stop-gap” bill funds abortion giant Planned Parenthood and sanctuary cities, while specifically prohibiting any spending on Trump’s long-promised border wall.

The AHCA now goes to the Senate, where political analysts expect it will undergo further changes to retain even more of ObamaCare. Trump has insisted it will pass. But with Democrats, [the United Nations](#), and many crony special interests united against it — along with potential opposition from some liberty-oriented GOP lawmakers and some Big Government-minded Republicans — approval in the Senate remains far from certain. Either way, Americans who supported Republican candidates based on the promise that they would repeal ObamaCare are going to be sorely disappointed once they find out what is in it. But the fight may not be over yet.

Photo: President Donald Trump with Speaker of the House Paul Ryan

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