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**From:** H <hrod17@clintonemail.com>  
**Sent:** Thursday, July 15, 2010 7:01 AM  
**To:** 'JilotyLC@state.gov'  
**Subject:** Re: individual mandate/minimum coverage provision

Pls print.

----- Original Message -----

**From:** Neera Tanden <ntanden [redacted]>  
**To:** H  
**Sent:** Tue Jun 22 01:05:20 2010  
**Subject:** individual mandate/minimum coverage provision

Hi Hillary,

Last week, the Republicans offered a motion to recommit to eliminate the individual mandate (or as it's called by the Administration, the minimum coverage requirement); it failed in a vote of 187 to 230, but it totally took the Speaker's Office by surprise. I meant to send you this last week, but was traveling, but I thought you might get a chuckle - Camp, the author of the motion to recommit, used the President's words from the primary in his wind up for the MTR - it's in red below:

Mr. CAMP. Mr. Speaker, with the unemployment rate stuck at nearly 10 percent, far too many Americans and small businesses are struggling to get by. While the bill before us contains some very limited benefits, it does little to help small businesses create the jobs so many Americans desperately need.

The motion to recommit the underlying bill keeps the underlying bill intact and provides real help to Americans by repealing one of the most onerous provisions of the new health care law, the individual mandate that, while exempting illegal immigrants, forces Americans to buy government-approved health insurance or pay a tax if they don't.

The Federal Government has never required its citizens to purchase a particular product before, and doing so with health insurance violates the basic principles of freedom and individual choice. No American should be forced to buy or purchase health insurance they don't want or can't afford.

This provision is so controversial that 20 States and the Nation's leading small business organization, the National Federation of Independent Business, have filed a lawsuit questioning its constitutionality. While legal experts will soon start arguing that case, we already know that the individual mandate tax penalty will fall hardest on middle- and low-income Americans.

According to the Congressional Budget Office, in 2016, nearly 75 percent of the Americans who pay this tax will have household incomes below 500 percent of the Federal poverty level. That's roughly \$73,000 for a married couple with no children. CBO also tells us that the Democrats' health care law will increase premiums for millions of Americans by up to 13 percent. That's a premium increase of about \$2,100.

As the Democrats' health care bill drives up the costs of health care premiums even higher, it will become more and more unaffordable for American families to comply with the mandate. Repealing this mandate will directly benefit millions of Americans and uphold the freedoms upon which this Nation was founded. It has the added benefit of

B6

eliminating the need for the IRS to hire thousands of additional employees, possibly as many as 16,000, just to enforce the new health care law.

The recently enacted health care law is bad for workers, bad for employers, and bad for America. Clearly, we need to repeal and replace this law with commonsense reforms that will actually lower health care costs and let Americans keep the plan they have and like.

And let me remind my colleagues of a quote from then-Presidential candidate Barack Obama. And I quote, "A mandate means that in some fashion everybody will be forced to buy health insurance. .... But I believe the problem is not that folks are trying to avoid getting health care. The problem is they can't afford it."

This health care law increases premiums by \$2,100 for millions of American families and requires them to buy this government-approved insurance that they cannot afford.

I urge my colleagues to stand with the American people and vote for the motion to recommit.

I yield back the balance of my time.

I was wondering when the Rs would do this. I had no idea that they'd wait til AFTER the bill was passed. And that's not even his best quote attacking it!

I organized some of the amicus briefs in defense of the mandate in the state lawsuits - one by small business groups and the other by disease groups in the VA case. But they should survive court challenge.

Also, Robert Pear promises me he's still working on this story, it's just been less of a hurry than other issues for him.

Hope you're well -

Neera