Opinion
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U.S. Senate Majority Leader Mitch McConnell, on Capitol Hill April 7 (CNS/Reuters/Aaron P. Bernstein)



by Michael Sean Winters

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No one was really surprised that Sen. Mitch McConnell, the majority leader, was only too willing to throw millions of fellow citizens off the health insurance rolls if that is what it took to deliver on the Republican promise to repeal and replace the Affordable Care Act (ACA). The fat-cat donors to the GOP coffers insisted on repeal and replace, and their pleas drowned out the voices of those who stood to lose their access to health care.

No one was really surprised that McConnell thought so little of the culture of the Senate that he was willing to ram this repeal effort through on a simple majority vote, by twisting the budget reconciliation provisions to suit his needs, or by ignoring the Senate's "regular order" by which legislation is drafted in committee and debated there, with hearings and analysis, before being brought to the full Senate for a vote.

McConnell is the man who ignored two centuries of precedent when he failed to even permit a hearing, let alone a vote, on the nomination of Judge Merrick Garland to the Supreme Court last year. McConnell is the man who famously said the GOP's top priority was denying President Barack Obama a second term.

In a speech to the Heritage Foundation shortly after that latter remark, McConnell said this:

> Let's start with the big picture. Over the past week, some have said it was indelicate of me to suggest that our top political priority over the next two years should be to deny President Obama a second term in office. But the fact is, if our primary legislative goals are to repeal and replace the health spending bill; to end the bailouts; cut spending; and shrink the size and scope of government, the only way to do all these things it is to put someone in the White House who won't veto any of these things.

The linkage between the policy agenda and the necessity of retaking the White House was explicit and, frankly, unremarkable. We all learned how proposals become bill and bills become laws in grammar school.

Funny thing is that Mrs. London, my fifth-grade teacher, like the audience at the Heritage Foundation in 2010, like the majority leader himself, failed to point out one key requirement for the system to work as designed: The majority leader needs to be competent.

America knew Mitch McConnell was capable of a cold political strategy that would do Machiavelli proud. We knew he could be cruel if it served his ends. What we had not bet on was that he would be so stunningly incompetent.

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The failure of this, his fourth attempt to repeal the ACA since he got someone in the White House who would sign the bill into law, was stunning. Majority leaders need to be able to cajole, they need to be able to plan, they need to be able to gin up popular support for controversial proposals, but most importantly, they need to be able to count. Fifty is not that large of a number.

Molly Reynolds of the Brookings Institution has an article posted that details how the GOP could yet try to pass a repeal and replace bill, even after the current fiscal year ends tomorrow and, with it, the prospect of passing the bill through the reconciliation process with its lower threshold of 50 votes. But McConnell has not been able to cross that lower threshold. In the Olympics, you only get three tries at the high jump. It should be the same in the Senate.

Even if there is a theoretical way to work through the Senate's often arcane procedures to mount a new effort, it is not clear what legislation would satisfy the entire Republican caucus. Sen. Susan Collins of Maine is not an easy vote to get, nor is Sen. Rand Paul of Kentucky, and those two have diametrically opposed changes they seek in exchange for their vote. Sen. John McCain's call for a return to regular order was ignored by McConnell, and it is hard to imagine him seeking a bipartisan bill. The GOP base would go ballistic because any bipartisan bill would necessarily cement the ACA in law and fact, not repeal it. But Sen. McCain's health is precarious to say the least. Should he lose his battle with cancer, Republican Gov. Doug Ducey, a fierce opponent of the ACA, would name his replacement, and it would be foolish to think he would name someone who was not committed to voting to repeal the law.

So those of us who believe the ACA was a great first step towards universal health insurance, and that further reform efforts should build upon its successes not tear it down, we cannot cease our vigilance. There is no conceivable repeal bill that would not decimate Medicaid nor provide the ironclad protections for people with pre-existing conditions contained in the ACA. I don't think the Republicans can ever stop trying to repeal the ACA. It is like asking my St. Bernard to stop wanting more salmon jerky treats. Ain't gonna happen.

The only thing standing between the country and a disaster in health care policy is the incompetence of the Senate majority leader. Now we face a similar dynamic as the Republicans turn their attention to tax reform, where the stakes are different from the ACA debate but just as important in terms of achieving a more just society.

It is strange to be grateful for the incompetence of another human being. But these are strange times in American politics.

[Michael Sean Winters covers the nexus of religion and politics for NCR.]

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