

# PERSPECTIVE

## Inner workings

Or, how Rep. Joe Courtney's little-noted bill made history

By PAUL CHOINIÈRE

On Jan. 24, 2019, U.S. Rep. Joe Courtney announced that he had introduced H.R. 748, a bill to repeal the so-called "Cadillac Tax," part of the Affordable Care Act that had proved unpopular with Republicans and Democrats. The 40% excise tax targeted high-end, employer-sponsored health insurance plans, its revenues intended to offset the costs of Obamacare.

Congress had repeatedly voted to delay its implementation, but Courtney, a Democrat who has represented eastern Connecticut's 2nd District since 2007, had long campaigned to permanently kill it. H.R. 748 was the vehicle, but the announcement got little attention. The Day did not report on it.

Instead, the region and the country were preoccupied with a Washington-manufactured crisis, one that seems particularly ridiculous given the genuine crisis we all now face. On Jan. 24, 2019, the nation was in the 33rd day of a 35-day partial government shutdown. President Donald Trump had wanted \$5.7 billion for his southern border wall. When the Democrats would not vote for it, Trump refused to approve a spending bill. In New London, a food kitchen had been set up to feed Coast Guard personnel who were still required to work, but unpaid.

By July 2019, the silly shutdown was a distant memory when the House called up H.R. 748, "The Middle Class Health Benefits Tax Repeal Act," under suspension of House rules, a procedure providing for 40 minutes of debate and a quick vote. It passed 419-6. And it again got little attention.

H.R. 748 then headed for the Senate where, like so much legislation coming from the Democratic-controlled House, it sat, ignored, in the inbox of Republican Senate Majority Leader Mitch McConnell of Kentucky.

No one could know then that H.R. 748 was waiting to be transformed into something truly historic.

### Procedure

Article 1, Section 7 of the U.S. Constitution states, "All Bills for raising Revenue shall originate in the House of Representatives."

By tradition this has been taken to mean that all "money

bills," involving revenues or appropriations, must originate in the House.

But in March 2020 the nation was facing a calamity unlike any in its history. To slow the spread of a new and sometimes deadly coronavirus, COVID-19, from which no one had immunity and for which there was no vaccine, governors across the country had ordered the closing of all but essential businesses and activities. The same thing was happening globally.

The oil that greases the national economic

engine had suddenly been removed and the economy grinded to a near halt, with millions abruptly unemployed, stock markets tanking and businesses facing insolvency. Washington lawmakers knew they had to act fast on a massive bailout, the largest in U.S. history.

The Senate, with 100 members, controlled by Republicans, the same party as President Trump, was seen as more likely to reach quick consensus than the Democrat-controlled, 435-member House. But there was that

little problem of Article 1, Section 7.

McConnell, a wily veteran of congressional gamesmanship, knew if he could find the right House bill, he could replace the entire text to meet the constitutional requirement of origination in the House. He reached into his inbox and grabbed H.R. 748.

### H.R. 748 returns

On March 27 the House met to act on H.R. 748, which had left as Courtney's 16-page Cadillac Tax-relief bill but had returned as the 800-plus page Coronavirus Aid, Relief, and Economic Security (CARES) Act, allocating \$2.2 trillion to try to rescue the U.S. economy from a complete collapse.

The measure was approved on a voice vote, Courtney in support.

"The CARES Act will put critical resources where they're needed most right now," Courtney said in a press release issued by his office.

The office made no mention of the strange, circuitous route his original legislation had taken to morph into the CARES Act.

"We thought about it, but it didn't seem appropriate in the context of what the country was confronting," he told me.

Ironically, in the press release, Courtney's office transposed the bill's numbers, referring to it as "H.R. 784."

Courtney said he had learned only a few days earlier that McConnell had used his bill as the vessel for the emergency relief package.

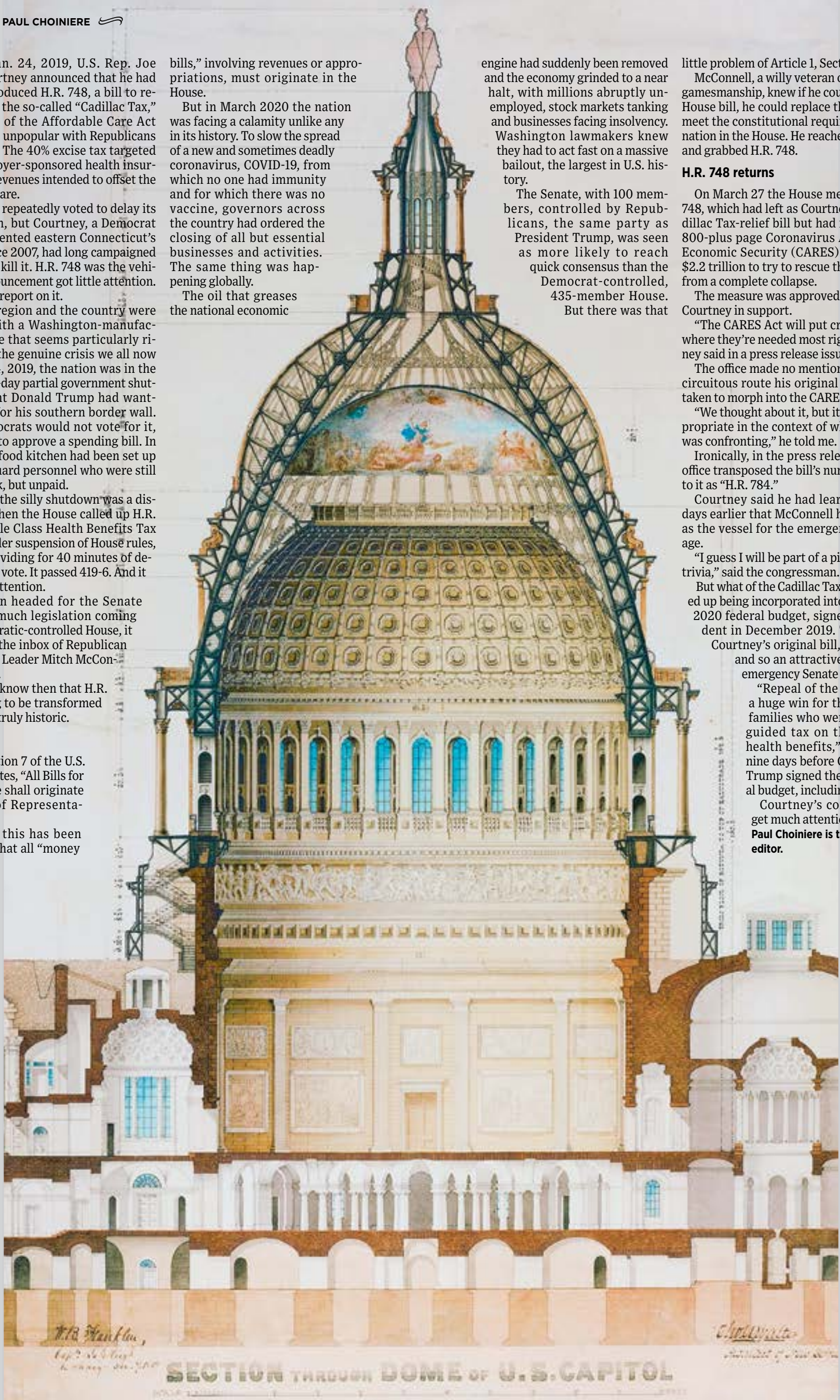
"I guess I will be part of a piece of historical trivia," said the congressman.

But what of the Cadillac Tax? Its repeal ended up being incorporated into the Fiscal Year 2020 federal budget, signed by the president in December 2019. That had made Courtney's original bill, H.R. 748, moot and so an attractive vehicle for the emergency Senate legislation.

"Repeal of the Cadillac Tax is a huge win for the middle-class families who were facing a misguided tax on their hard-won health benefits," said Courtney nine days before Christmas, after Trump signed the massive federal budget, including the repeal.

Courtney's comments didn't get much attention.

Paul Choiniere is the editorial page editor.



Section through the dome of the U.S. Capitol, 1859, by American architect Thomas Ustick Walter.

ARCHITECT OF THE CAPITOL

## LETTERS TO THE EDITOR

### Make locally grown food easier to provide

There have been many topics covered in The Day recently with reference to the SARS-2 virus and COVID-19. One area that has been absent is the ability of many people in this area to take some control over at least a portion of their own food needs.

It was not too many decades ago that when driving around Waterford, Montville or East Lyme, small roadside stands offering vegetables and fruits for sale were common. Last year, the Town of Waterford had some discussion about reducing the required 120,000-square-foot land requirement for engaging in farming in a residential area. I have not heard anything about this since then, but I would urge all

local communities to consider similar reductions so that people cannot only provide food for themselves but for others as well.

While I live on a property having the requisite acreage, we should not be limiting the ability of those who have the desire and expertise to provide alternate nutritional sources. The legacy of the rural nature of the aforementioned towns demands a reconsideration of the current limitations and I urge all local governments to alter their policies prior to the next widespread emergency.

George Blahun Jr.  
Waterford

### A bright spot in crisis

Kudos to the parents, students, teachers and administrative staff of Quaker Hill School. The creative community of the elementary school has brought a lighter day to our town by organizing a parade of 65-plus cars that wound its way through the village from Route 32 to Route 85 on the rural streets and back roads of Waterford. The parade was greeted by students, parents and members of neighborhoods in support of the community that is locked down with the rest of Connecticut due to the COVID-19 virus. This was of particular joy for the students who have been out of daily touch with classmates, friends and teachers for several weeks.

Congratulations, Quaker Hill, for this event.  
R. F. Muckle  
Waterford

### Time to focus on the good in people

I have seen it. Before these days, it would have been hard to imagine a time of such change in our lives. Perhaps, in many ways, we became accustomed to the normalcy of abundance. Not long ago, we were free to interact with others, connect personally with hugs and handshakes, enter a grocery store and leave with everything we needed on our list. We enjoyed dinners out with family and friends, and no, we never ran short on toilet paper! All these interactions made our lives complete, or so we thought.

As a health care manager, I have seen communities of people change. I see families talking together. I see strangers reaching out to drop off food to their elderly neighbors. I see people making

masks for health-care workers, and strangers in stores offering up their place in line to others. I have seen the goodness in people, goodness that often arises during times of great crisis, but also the goodness that has always been there, hidden under the abundance and pace of our daily lives.

I have seen the best in people, and yes, sometimes the worst. Now, however, I choose to embrace the best. We as humans are all bound to each other, and at the core of the human spirit is kindness, giving, and resiliency. I have seen it.

Shannon Abbotts  
North Stonington

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