

DAPAC DISPATCH

Democratic Advancement Political Action Committee

Grassroots Activism for Progressive Democrats
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What is it that Republicans want you to think? What is it that Republicans don't want you to know?

Republicans want you to think that Democrats are on the rise. True enough.

The White House will probably stay in Democratic hands. Immigration and migration between states have altered the electoral college map. Most of us remember how the electoral college handed George W. Bush the 2000 election. That was despite the fact that Vice President Al Gore narrowly, but decisively, won the popular vote. Linear regression study of the last few election results now shows us that the Democratic presidential nominee could lose to a Republican by up to 0.6% of the popular vote and still win the electoral college.

This is because more states have recently trended Democratic than Republican, it is no longer necessary for Democrats to win the formerly pivotal swing states, Florida and Ohio.

So What Don't Republicans Want You To Know?

Republicans don't want you to know that Democratic Congressional prospects can be diminished by failure to fight for voter turnout in mid-term federal and state elections. We could lose the Senate, and we could fail to gain back the House, since state government determines redistricting. Gerrymandered redistricting may enable Republicans majorities in state government to

continue to engineer the disfranchisement that leaves the House of Representatives in Republican hands.

But now you know. And DAPAC is working relentlessly to build Democratic enthusiasm so we can stop Republican gerrymandering and elect a Congress that will work with the next Democratic president. You can turn the tables on Republicans by making a [donation today](#).

George Costanza versus Obamacare

In an episode of the television series *Seinfeld*, titled *The Bubble Boy*, the character George Costanza visits a boy named Donald. Donald has an immune deficiency and must live behind a plastic divider, or bubble, but that is not important for our story here.

George and Donald decide to play a game of *Trivial Pursuit*. At one point, Donald must answer the question, "Who invaded Spain in the 8th century?" Donald answers "the Moors", which would seem to be a reasonable answer for anyone with a passing familiarity with European history. However, the answer on the card is a misprint – it says "the Moops". George refuses to accept "the Moors" as the correct answer. As you might expect from a *Seinfeld* episode, Donald resorts to physical violence.

The Affordable Care Act, also known as "Obamacare", can be understood as a three-legged stool. One leg is the requirement that health insurers insure anyone, regardless of how sick they already are. Another leg is the

mandate that everyone get health insurance, or pay a penalty. The last leg is the subsidy that middle-income people receive, so that they can get insurance even if they couldn't otherwise afford it.

If any one of the legs is removed, the whole system collapses. If insurers don't have to insure anyone, they will cherry-pick the healthiest people, and the sickest people will end up with no insurance at all, like our previous system. If nobody is required to get insurance, only the sickest people will find it worthwhile, insurers will raise their rates to compensate for higher costs, and moderately healthy people will not be able to afford it. If middle-income people receive no subsidies, they will pay the smaller penalty instead, unless they get sick, and then we are back to only the sickest people buying insurance.

The Affordable Care Act sets up a system where each state can set up an exchange, where insurers can sell and where individuals can buy insurance. The federal government has set up an exchange for the states (34 of them) that did not set up their own exchange. A state that sets up its own exchange has discretion over standards for insurance plans and can negotiate prices with insurers.

In a case currently in front of the Supreme Court, *King versus Burwell*, the court must answer the question, "Residents of which states can receive subsidies to buy health insurance?" As it turns out, there was something of a misprint when the Affordable Care Act was drafted. The Act says, "enrolled in through an Exchange established by the State," where, to be perfectly clear, it could have said, "enrolled in through an Exchange established by a State or the United States Department of Health and Human Services". The plaintiffs in this case claim that the Act does not intend for residents of states using the federal exchange to receive any subsidies.

But that claim is obviously ridiculous. The state exchanges, which were not in the original bill, were allowed so that states could tailor their health insurance markets to their own requirements. Legislative history and debate at the time reveals that the idea that the federal exchanges would not receive subsidies was not even considered.

George Costanza, out of spite for Donald, against all reason, insists that it was the Moops that invaded Spain. The challengers to the Affordable Care Act in *King versus Burwell*, out of spite for people who can't afford insurance without subsidies – or perhaps out of spite for Democrats – against all reason, insist that only people in states with their own exchanges can get the subsidies.

Endorsments

In Pennsylvania's 8th congressional district, incumbent Republican Mike Fitzpatrick is retiring. This is a competitive district in suburban Philadelphia where President Obama lost by just under 2 points. In the last election, we endorsed businesswoman **Shaughnessy Naughton** for this seat, but she narrowly lost in the primary – by only 818 votes. She has just announced that she is running again, and we are wholeheartedly supporting her.

Also in Pennsylvania, **former Representative Joe Sestak** formally announced his campaign for the Senate seat currently held by Pat Toomey. He made his announcement in front of Independence Hall, where the Declaration of Independence was agreed to in Philadelphia. In 2010, he lost against Toomey by a mere 2 points. With greater Democratic turnout in a presidential year, most experts consider this rematch to be one of the top Senate races of 2016. He has embarked on a walk across the state of Pennsylvania – over 800 miles – to emphasize his call for accountable leadership.

Senator Barbara Boxer of California recently announced her retirement. California **Attorney General Kamala Harris** has announced that she is running to replace Senator Boxer. As Attorney General, she has fought for homeowners being foreclosed on by introducing the California Homeowner's Bill of Rights. As well, she has been a leader advocating for victims of hate crimes, identify theft, and predatory lending. If elected, she would be the first Indian-American in the Senate. We enthusiastically endorse her.

Republican Legislation Redistricting Supreme Court

The name Steve King should galvanize Democrats the way the Alamo galvanized 19th Century Texans. Iowa Congressman Steve King should be the poster boy to inspire Dapacrats(DAPAC Democrats)to get out the vote in unexciting off year elections; to fight the voter ID/gerrymandered disfranchisement of the American people.

Poor Steve King has a problem. He stands against a majority consensus that has begun to favor gay marriage. Even his own state seems to have let him down. The *Des Moines Register* quotes Michael Gronstal, the Iowa Senate majority leader, who comments about his State Supreme Court's affirmation of same sex marriage. Gronstal says it took "less than five years for most Iowans to embrace marriage equality. That says a lot about the common sense and common decency of Iowans."

It may be strategic to stand against common sense and decency to appeal to an anti-gay base. But what's a poor guy to do if he feels that his base has begun to desert him? Well there is a solution.

King's genius is to duck the gay marriage issue and still appeal to a right wing base. He has conceived a new riff on right wing efforts to populate the federal courts with their

ideological soul mates. Kings plan? Just eviscerate the federal judiciary. King introduced a bill called "Restrain the Judges on Marriage Act of 2015." According to Ideas and Legislation, "This bill strips federal courts of jurisdiction to hear cases related to marriage. The effect of the bill would prevent federal courts from hearing marriage cases, leaving the issue to States where it properly belongs."

King's bill is an assault on Article III of the Constitution. This article empowers the federal courts to interpret the Constitution on issues such as gay marriage.

In a news release, King said, "For too long, federal courts have overstepped their constitutionally limited duty to interpret the Constitution. Rather, Federal courts have perverted the Constitution to make law and create constitutional rights to things such as privacy, birth control, and abortion. These Unenumerated, so-called Constitutionally-protected rights were not envisioned by our Founding Fathers."

So King wants to re-open the old debate over whether federal courts should interpret the constitutionality of state laws. The above statement does not harbor any legal/constitutional theory as to why federal courts should be disempowered. Rather King just does not like certain decisions. Given his obsession with judicial overreach, one can only wonder why he failed to mention *Bush v. Gore*.

And we must wonder what the right wing, Catholic associate Supreme Court justice Antonin Scalia would think of this attempt at usurpation. Granted the attempt will almost certainly fail. But how might Scalia feel about an effort to deprive him of the opportunity to convince his fellow justices that marriage equality is not protected by the Constitution?

What DAPAC Does

DAPAC focuses on every facet of electoral politics. We are involved in every aspect of the campaign, with special attention on building a strong grassroots base, and crafting a compelling progressive message. We don't believe in "one-size-fits-all" solutions. We match our advice and guidance to the candidate's district, not the other way around. It all comes down to getting out the vote, and that's where experience matters most.

We target the most promising Congressional districts in the nation, using the most up-to-date electoral, demographic and census data available.

We recruit, train and advise candidates, covering all campaign techniques from fund raising and messaging, to field operations.

We provide contact information on potential donors to our endorsed candidates to help them fund their campaigns.

We provide hands on guidance, helping candidates to craft their message and to hire the most talented staffers.

We don't compromise on our values, and neither will our candidates. If these are your values, please make a donation to DAPAC today.

Who DAPAC Supports:

DAPAC supports progressive Democratic Congressional candidates. That's our mission. That's our passion. We interview dozens of candidates from around the country and talk to them not only about what kind of race they are going to run, but what kind of policies they favor. We screen every candidate to see where they stand on the issues that matter most. **We only endorse progressive candidates.** When you give to DAPAC you know that these are the kinds of men and women you are helping to elect to Congress.

All our candidates:

- are 100% Pro-Choice.
- support stronger GBLT rights.
- support working family and union rights.
- support honest and Democratic markets and businesses.
- support publicly funded universal health care.
- support strong environmental protection.
- protecting Social Security and Medicare.
- oppose the Patriot Act.
- oppose Iraq and Afghanistan wars.
- oppose the Death Penalty.

DAPAC is working to rebuild the Democratic Party from the ground up, to support strong candidates who will give voice to the issues that matter most.

Paid for and authorized by the Democratic Advancement PAC (DAPAC). Contributions will be used in connection with federal elections and they are subject to the limits and prohibitions of the Federal Election Campaign Act. Federal law requires us to report the name, address, occupation, and employer for each individual whose contribution aggregate in excess of \$200 is a calendar year. Corporate and non-permanent resident contributions are prohibited. Contributions are not tax deductible.