

FRIDAY ALERT



Alliance for Retired Americans

815 16th Street, NW, Fourth Floor • Washington, DC 20006 • 202.637.5399

www.retiredamericans.org

Spanish version: www.alianzadejubilados.org

June 15, 2018

Administration's Refusal to Defend Coverage of Pre-Existing Conditions Faces a Backlash

The Justice Department has decided not to defend two key provisions of the Affordable Care Act (ACA), asking a District Court judge to strike the provisions and declare them unconstitutional. In response, the insurance industry trade group America's Health Insurance Plans (AHIP) [is among those splitting with the administration on the issue](#).



Xavier Becerra

The provisions protect patients with pre-existing conditions from losing their coverage and ban insurance companies from raising premiums for those patients. California Attorney General **Xavier Becerra** is leading an effort by 17 attorneys general from California, other states and the District of Columbia to defend the ACA against a lawsuit filed by 20 Republican state attorneys general last February. They argue that Congress' changes to the law in last year's tax bill rendered the entire ACA unconstitutional.

AHIP signaled it will file an amicus brief in the case, officially siding with the states that have stepped in to defend the law's constitutionality.

Insurance protections for pre-existing conditions are extremely popular. Among people ages 55 to 64, [84 percent](#) had at least one pre-existing condition in 2014. Numerous polls conducted in the last year have shown that over [70%](#) of Americans support the protections.

"People are much more likely to have a pre-existing condition as they get older," said **Robert Roach, Jr.**, President of the Alliance. "This is a very serious issue, particularly for those who are not yet eligible for Medicare."

“Efforts to repeal the ACA during the tax debate laid the groundwork for this latest attack on access to insurance,” said **Richard Fiesta**, Executive Director of the Alliance. “We must support elected officials who have pledged to protect those who would either be priced out of the insurance market or denied coverage altogether.”

U.S. Supreme Court Upholds Ohio’s Voter Roll Purge Law

The Supreme Court decided 5-4 on Monday that Ohio’s practice of purging voter rolls is constitutional. Justice **Sonia Sotomayor** joined the dissenting opinion and also wrote her own separate dissent in which she [highlighted the disproportionate effect the Ohio law has on low-income, minority, disabled and veteran voters.](#)

Federal law states that voters may not be removed from voting rolls simply due to not voting. In Ohio, registered voters who do not cast a ballot in two years are sent a card asking if they have changed their address. Those who do not send back the card and then do not vote for four years are automatically taken off the voter rolls.

The state argued that the law does not violate federal law because the change of address validation is sent first. Challengers say that it disproportionately harms those who have a difficult time getting to the polls, and makes already poor turnout even worse. Only 30% of voters actually returned the card in 2011.

Voting rights advocates fear the Supreme Court’s decision could lead other states to begin purging their voter rolls as well.

“Practices like Ohio’s are counterproductive to ensuring that everyone has the right and ability to vote,” said **Joseph Peters, Jr.**, Secretary-Treasurer of the Alliance. “We must ensure that everybody’s voice is heard at the polls.”

President Roach: Corporations Are Investing In Executives, Not Employees’ Pensions

Following the corporate tax cuts passed last December, many large companies are investing in their bottom line instead of their workers.

Using the various loopholes and special interest tax breaks granted to them by changes in the tax code late last year, companies that were already enjoying historically high profits are using their cash to buy back their own stock shares. Since the tax cuts became law, companies have announced over [\\$400 billion](#) in corporate buybacks, setting a new record high.

U.S. Securities and Exchange (SEC) Commissioner **Robert Jackson Jr.** presented his personal research on the topic at a Center for American Progress panel on Monday. The commissioner explained that buybacks are benefitting companies by increasing their stock prices and letting top executives personally cash out, while hurting long term shareholders and workers. Commissioner Jackson feels that the rules should be changed to deny safe harbor protections to companies who allow their executives to personally cash out their shares. The SEC safe harbor regulations have not been updated since 2003.

Alliance President Roach brought up the issue of companies that utilize buybacks without fully funding their pension plans, a major issue for current and future retirees. See video footage of the exchange [here](#). While the SEC commissioners are currently not looking into pensions, Jackson stated that issues such as failing pension systems are the exact reason why buyback rules need to be reviewed and updated.

“Companies promised to invest the returns they received from massive tax cuts back into their employees,” said President Roach. “As it turns out, they are simply investing in their top executives while leaving the workers behind.”

North Carolina, Idaho Alliance Chapters Hold Their Conventions

The North Carolina Alliance held its convention in Raleigh on Tuesday. Elected to positions on the board were: **Bill Dworkin** (AFSCME), President; **Judy Coggins** (CWA), Treasurer; and **Mary Montford** (A. Philip Randolph Institute), Secretary.



North Carolina Alliance's convention attendees

MaryBe McMillan, President of the North Carolina AFL-CIO; **Josh Stein**, state Attorney General; and Executive Director Fiesta were guest speakers.

The Idaho Alliance also held its annual convention in Boise on Tuesday. Speakers included **Steve Kofahl**, Regional Vice President of the Alliance; **Joel Buchanan**, United Steelworkers (USW) SOAR Director District 12; **Travis Riggs**, an employee at the Veterans Administration and President of AFGE Local 1273; and **Andrea Wassner**, IDARA Treasurer, Idaho AFL-CIO Secretary-Treasurer and member of AFGE Local 3937 (Social Security Administration).

Members elected the following officers: President **Steve Landon**, Treasurer **Andrea Wassner**, and Secretary **Tracie Roberts**. The Vice Presidents will be **Shirley McFaddan**, **Jim Kidder**, **Barb Harris**, **Ken Wiesmore**, and **Chuck Vogel**.



Idaho Alliance's convention attendees

President Landon served as delegate to the Idaho AFL-CIO convention, where he received a standing ovation for his speech explaining how the Alliance is standing up to attacks on Social Security and Medicare that harm older Americans.

The Alliance for Retired Americans is a national organization that advocates for the rights and well-being of over 4.4 million retirees and their families.