

# WikiLeaks: Clinton Staffer Wanted to Pressure Chief Justice Over Obamacare

Neera Tanden of the Center for American Progress suggested the Hillary Clinton campaign put pressure on the U.S. Supreme Court, specifically Chief Justice John Roberts, in an email written in June of 2015.

The email was released by WikiLeaks.

Tanden was discussing what appeared to be President Barack Obama's influence over Roberts on the first Affordable Care Act decision. As the court was addressing the constitutionality of another provision of Obamacare in *King v. Burwell*, she wrote:

*I mentioned this to John some time back, but think it's a bit more current now.*

*It is most likely that this decision has already been made by the Court, but on the off chance that history is repeating itself, then it's possible they are still deciding (last time, seems like Roberts went from striking the mandate to supporting it in the weeks before). As Jennifer will remember, it was pretty critical that the president threw the gauntlet down last time on the Court, warning them in the first case that it would politicize the role of the Court for them to rule against the ACA. As a close reader of the case, I honestly believe that was vital to scaring Roberts off.*

*In this case, I'm not arguing that Hillary spend a lot of time attacking the Court. I do think it would be very helpful to all of our interest in a decision affirming the law, for Roberts and perhaps Kennedy to see negative*

*political consequences to ruling against the government.*

*Therefore, I think it would be helpful to have a story of how progressives and Hillary would make the Supreme Court an election issue (which would be a ready argument for liberals) if the Court rules against the government. It's not that you wish that happens. But that would be the necessary consequence of a negative decision ... the Court itself would become a hugely important political issue.*

*At CAP Action, we can get that story started. But kinda rests on you guys to make it stick.*

*What do you think? If you want to proceed, we should move soon.*

Clinton foreign policy adviser Jake Sullivan said he would "defer" to communications director Jennifer Palmieri. Tanden then wrote:

*OK. And to clarify, the candidate wouldn't have to do anything. I think we could move the story with just a nod from the campaign on the strategy.*

Palmieri said that Clinton had already been "making it an issue," adding she wasn't sure "how in depth" Tanden was suggesting the efforts go, but thought it would be "manageable." Tanden thought it could be affirmed on background—meaning through "off the record" or "anonymous source" comments.

Palmieri agreed to take the point for any media outlets Tanden sent her way.