

SUBSTANTIVE (AUTHENTIC) DEMOCRACY

A TIMELINE OF SELECT U.S. LEGISLATION

People, the health care legislation was part of the effort by President Barack Obama's Administration to continue the 20th century political tradition of the Democrats (President which was/is often resisted by the Republicans) to implement authentic and procedural democracy in the U.S. to the benefit of everyone, including Republicans. (President Reminder: democracy has two related parts to it comprising *procedural* democracy and *authentic* democracy. To give you a sense of what this has meant in practice, here is a timeline of relevant legislation.

Reminder: this legislation, which helped to improve the lives of all In the U.S. (including yours), only came about because people participated in the elections that led to the presidencies responsible for it. In other words voting matters!

1906: *Federal Food and Drugs Act* (President Theodore Roosevelt), established *The Food and Drug Administration* to protect the public from the production and marketing of unsafe and dangerous foods, medicines, medical equipment, and so on.

1914: *Federal Trade Commission Act* (President Woodrow Wilson), established *Federal Trade Commission* to protect the public from anticompetitive and deceptive acts and practices of businesses.

1916: *National Park Service Act* (President Woodrow Wilson); established a formal and more coherent national park system out of existing parks for recreational, health, educational, etc. use by the public.

1935: *Social Security Act* (President Franklin D. Roosevelt)—one of the most important pieces of legislation—established, as part of the *social safety net* (see Course Glossary):

- unemployment insurance;
- social security (retirement insurance; financial support for the disabled; etc.);
- **Medicare**: health insurance for the retired; and
- **Medicaid**: health insurance for the very poor.

Folks, notice that many of those opposed to Obamacare, *most hypocritically*, were not opposed to these other two programs.

1935: *National Labor Relations Act* (President Franklin D. Roosevelt); established: Workers' right to organize trade unions; and Workers' right to

strike to improve their working conditions, including pay.

1938: *Fair Labor Standards Act* (President Franklin D. Roosevelt); established: the prohibition of employment of children under 18 in most *non-agricultural* occupations.

- ☒ National minimum wage; and
- ☒ Overtime pay.

1939: *The Reorganization Act* (President Franklin D. Roosevelt); established: the Federal Security Agency that would later, in 1942, establish the Office of National Defense Malaria Control Activities which after going through various incarnations in subsequent years would eventually become today's *Centers for Disease Control and Prevention*—though still popularly known by the abbreviation of its predecessor, Centers for Disease Control, as the CDC.

1944: *Public Health Service Act* (President Franklin D. Roosevelt); established: Office of the Surgeon General; and the National Institute of Health.

1963: *Clean Air Act* (President Lyndon B. Johnson); established:

- ☒ funding for research into air pollution;
- ☒ enjoined states to establish agencies for controlling air pollution; and
- ☒ a legislative avenue for federal involvement in matters of inter-state air pollution.

1963: *Equal Pay Act* (President John F. Kennedy); established:

- ☒ Equal pay for men and women.

1964: *Civil Rights Act* (President Lyndon B. Johnson); established:

- ☒ Prohibition of discrimination based on gender
- ☒ Prohibition of discrimination based on race, religion or nationality
- ☒ the Equal Employment Opportunity Commission

1964: *Criminal Justice Act* (President Lyndon B. Johnson): mandated the establishment of a public defender system to allow legal representation in federal courts for those charged with a crime but who could not afford to pay for legal counsel.

1964: *Economic Opportunity Act* (President Lyndon B. Johnson); established:

- ☒ *Jobs Corps*, a national program that provides post-secondary school vocational training and education to low income youth to enable them to find and keep a good job
- ☒ *Head Start*, a national program that promotes school readiness for children from economically disadvantaged families by giving the children

from birth to age three access to health, educational, nutritional, social, and other services in order to enhance their cognitive, social, and emotional development;

☒ *Volunteers in Service to America* (President now known as AmeriCorps VISTA); and

☒ *Upward Bound* to assist low-income students prepare for college.

1964: *Food Stamp Act* (President Lyndon B. Johnson); established: a permanent food stamp program (originally initiated in 1939 as a temporary executive mandate during the presidency of Franklin D. Roosevelt) to allow indigent families access to food.

1964: *Library Services and Construction Act* (President Lyndon B. Johnson): increased federal funding for the construction of libraries as well as the services they provided in communities that had poor access to library facilities in both rural and urban areas.

1964: *Wilderness [Protection] Act* (President Lyndon B. Johnson); established: the National Wilderness Preservation System and criteria for including lands in this system. This system not only has recreational value (important for human health) but, among other things, is essential for preservation of biodiversity and the protection of watersheds (sources of drinking water for humans) and forests (helps with alleviating global warming).

1965: *Department of Housing and Urban Development Act* (President Lyndon B. Johnson); established: the U.S. Housing and Urban Agency as a Cabinet-level agency for the purposes of promoting access to affordable housing for all.

1965: *Elementary and Secondary Education Act* (President Lyndon B. Johnson): provided federal assistance to K-12 education for low-income schools, communities, and children.

1965: *Executive Order 11246 on Affirmative Action* (as amended in 1967) (President Lyndon B. Johnson): a presidential order that mandated government contractors to be proactive (“take affirmative action”) in hiring practices with regard to race, and from 1967, gender.

1965: *Higher Education Act* (President Lyndon B. Johnson); established: ☒ student financial aid for higher education—*Pell Grants*; *Stafford Loans*; *Federal Perkins Loans*; *Work Study*;
☒ the TRIO programs (President *Upward Bound* [originally established by

the Economic Opportunity Act of 1964], *Talent Search*, and *Student Support Services*, all aimed at assisting economically disadvantaged students enroll and succeed in higher education institutions).

1965: *Land and Water Conservation Fund Act* (President Lyndon B. Johnson); established: a funding mechanism for acquisition, preservation, and maintenance of land and water resources for “recreation and to strengthen the health and vitality of the citizens of the United States.”

1965: *Water Quality Act* (President Lyndon B. Johnson): required that states develop water quality standards and for interstate waters establish water quality goals.

1967: *Public Broadcasting Act* (President Lyndon B. Johnson); established: *Corporation for Public Broadcasting*

1968: *Fair Housing Act* (President Lyndon B. Johnson); established: Prohibition of discrimination in purchasing or renting housing.

1968: *Wild and Scenic Rivers Act* (President Lyndon B. Johnson); established: a national system of outstanding rivers of scenic, recreational, fish and wildlife, cultural, geologic, historical, etc. significance.

1972: *Clean Water Act* (vetoed by the Republican president Richard Nixon but overridden by a Democratic Party majority in the U.S. Congress); established: a legislative mechanism (President National Pollutant Discharge Elimination System—NPDES) for reducing water pollution, a problem that could not be effectively tackled by the establishment of water quality standards alone, as mandated by the *Water Quality Act of 1965*.

2010: *Affordable [Health] Care Act* (President Barack H. Obama): popularly known as “Obamacare,” established mechanisms for expanding health care coverage to a wider section of the U.S. public and for reducing health care costs. (Among its many provisions are prohibition of discrimination against those with pre-existing health conditions by insurance companies; prohibiting insurance companies from withdrawing coverage; providing free preventive care; **allowing young adults to remain on their parents’ insurance plans until they turn 26**; expanding coverage for early retirees; strengthening community health care centers; and understanding and combating health disparities based on race, ethnicity, language, etc.)