

## Obama's Healthcare Law Tops New Supreme Court Term

WASHINGTON (Reuters) — President Obama's sweeping healthcare overhaul will top the agenda in the new Supreme Court term that opens today and could be the most momentous in decades.

Returning from its three-month recess, the nation's highest court will confront legal challenges seeking to strike down Obama's signature domestic policy achievement and a host of other charged issues in its 2011-2012 term.

Other big cases pit privacy rights against new police tracking technology, involve searches of jailed prisoner and address a free-speech challenge by broadcasters to a U.S. government ban on a ban on certain things in the media. More blockbuster cases on using race in college admissions, and on Arizona's tough law cracking down on illegal immigrants.

"By June 2012, this term may prove to be among the most momentous in recent decades,"

said Elizabeth Wydra, chief counsel at the liberal Washington-based Constitutional Accountability Center.

The healthcare law, Obama's signature and most controversial domestic achievement that figures to be a prominent issue in the U.S. elections in November 2012, already has overshadowed the term's other cases.

The law, which aims to provide more than 30 million uninsured Americans with medical coverage and to slow soaring costs, has wide ramifications for the health sector, affecting health insurers, drugmakers, device companies and hospitals.

Legal experts said it was impossible to predict how the Supreme Court might rule on the healthcare law and said a decision could hinge on whether Congress exceeded its powers by requiring that Americans buy insurance or face a penalty.

"It will be a close case," Jonathan Cohn, a former deputy

assistant attorney general at the U.S. Justice Department in the George W. Bush administration, said at the briefing.

Other legal experts said any ruling by the nine-member court, closely divided with five conservatives and four liberals, could come down to Chief Justice John Roberts and Justice Anthony Kennedy, who often casts the decisive vote.

The epic healthcare legal battle, which began right after Obama signed the law in March 2010, moved to the Supreme Court on September 28 when the Obama administration and 26 states opposed to the law filed separate appeals.

At issue was a U.S. appeals court ruling in Atlanta that struck down the law's mandate that all Americans have health insurance, but upheld the rest of the law — the biggest healthcare overhaul in nearly 50 years.

The Obama administration defended the law as constitutional in its Supreme Court appeal.

## Syria Opposition Launches National Council

BEIRUT (AP) — Syrian dissidents yesterday formally established a broad-based national council designed to overthrow President Bashar Assad's regime, which they accused of pushing the country to the brink of civil war. Syrians took to the streets in celebration, singing and dancing.

In a restive northern area, meanwhile, gunmen killed the 21-year-old son of Syria's top Sunni Muslim cleric in an ambush, the state-run news agency reported. The cleric, Grand Mufti Ahmad Badreddine Hassoun, is considered a close supporter of Assad's regime and has echoed its claims that the unrest in Syria is the result of a foreign conspiracy.

The announcement of the Syrian National Council at a news conference in Istanbul appeared to be the most serious step yet to unify a deeply-fragmented opposition. It follows five days of intense battles between the Syrian military and army defectors in the country's central region that raised the specter of

all-out armed conflict.

Prominent Syrian opposition figure Bourhan Ghalioun, who read out the founding statement of the SNC at the news conference in Istanbul, accused the regime of fomenting sectarian strife in Syria to maintain its grip on power.

"I think that this [Assad] regime has completely lost the world's trust," he said.

Syria's volatile sectarian divide means that an armed conflict could rapidly escalate in scale and brutality. The Assad regime is dominated by the Alawite minority, an offshoot of Shiite Islam, but the country is overwhelmingly Sunni Muslim.

In forming a national council, the Syrians are following in the footsteps of Libyan rebels, who formed a National Transitional Council during the uprising that ousted dictator Muammar Gadhafi. The Libyan council won international recognition and has now become the main governing body of the country.

## Pollard

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challenged Biden over the fact that the median sentence for the offense Pollard committed — one count of passing classified information to an ally — is two to four years Biden was unmoved in his position.

Biden's remarks were in sharp contrast with a response he gave an interviewer in 2007, when he expressed support for the release of Jonathan Pollard via commutation of his sentence to time served.

Jonathan's wife Esther, who is currently visiting her husband in North Carolina, said in an email to *Hamodia* that the remarks "are as puzzling as they are troubling. The Vice President's declaration that he told the President he would rather die than see Jonathan freed is incomprehensible — especially in light of the numerous official requests by senior American officials that Jonathan be released as a matter of simple justice because his sentence is 'severely disproportionate.' Unlike those officials calling for Jonathan's release, Mr. Biden offered no explanation at all for his passionate call to keep Jonathan in prison for the rest of his life," she wrote.

"Fortunately, President Biden is not the one who will decide whether or not to commute Jonathan's sentence to time served. Only the President can make that decision. More importantly, Mr. Biden's remarks do not represent an official response to the many official requests that the President has received that he grant clemency to Jonathan and set him free," Mrs. Pollard added in her email.

The *New York Times*, which

first broke the news of Biden's comments, wrote that as part of the Obama campaign's concerted effort to shore up support within the Jewish community in America in advance of the 2012 election, Biden was taking "a punch meant for his boss," President Obama.

Rabbi Efreim Goldberg, the Senior Rabbi at the Boca Raton Synagogue, who was present at the meeting, recalled in a conversation with *Hamodia* that Biden appeared eager to share his views on the matter.

"It seems to me he knew coming in he wanted to share his position on Pollard," he said. "It is hard to read minds and I think it is unhealthy to project, but it does seem to me that Vice President Biden, who has a longstanding positive record on Israel, was eager to have us understand that the lack of responsiveness on Pollard was his doing and not the President's."

Rabbi Goldberg continued by saying that he was dismayed by the statement.

"I was and remain deeply troubled by his quick dismissal of any chance of clemency for Pollard. After all, a tremendously diverse group of high-ranking politicians from both parties, including former Congressman Robert Wexler whom many consider closest with this Administration, have called for Pollard's release."

Rabbi Pesach Lerner, Executive Vice President of the National Council of Young Israel, who has advocated tirelessly for Pollard for many years, told *Hamodia*, "There is much here that demands explanation."

"Firstly, [for the Vice President] to insinuate that he controls the President, secondly to ignore his previous comments. Which Biden are we to believe?

The one of today? The one of tomorrow? Or the one of a few years ago?" Rabbi Lerner asked.

"In addition, the Jewish community and the American people deserve an explanation," Rabbi Lerner continued, "after former U.S. Secretaries of State George Schultz and Henry Kissinger, Former CIA Director James Woolsey, former U.S. Attorney General Michael Mukasey, Lawrence Korb, who served as Deputy Defense Secretary under Caspar Weinberger, and so many others who had access to the information and who were involved 27 years ago, who have all said enough is enough."

"Why is Pollard being singled out without rhyme or reason? If there is something there — let us know. If there is nothing there, please explain," Rabbi Lerner demanded.

Reuven Rivlin, the speaker of the Israeli Knesset, wrote a letter to Biden yesterday urging him to rethink his stance.

"Pollard paid a heavy price for his deeds. He was imprisoned for many years and is carrying a punishment that is heavy under any standards, much beyond the accepted norms even in the U.S. judicial system."

"We are sure justice has been served and that it is time to show clemency and release [Pollard] immediately," Rivlin said, adding that while there are "differences between us and the Americans, there are issues, such as Pollard, that have reached an absurd level, under any universal standard, human or legal."

Rabbi Lerner urged for continued efforts and *tefillos*.

"In these Aseres Yemei Teshuvah we have to redouble our efforts and our *tefillos* on behalf of Yehonason ben Malkah."



REUTERS

President Obama and Vice President Biden watch a flyover during the "Change of Office" Chairman of the Joint Chiefs of Staff ceremony at Fort Myer in Arlington, Virginia, September 30, 2011. U.S. Army General Martin Dempsey was sworn in as the new chairman of the Joint Chiefs, replacing Admiral Mike Mullen.

While clearly deeply hurt by Biden's comments, Esther Pollard remained hopeful. In her email to *Hamodia*, she continued:

"After a lot of tears and prayers, Jonathan and I hope that there is a silver lining in this dark cloud. We are hopeful that Mr. Biden's remarks, which have been generating news headlines around the world, will elicit a swift response and clarification from the President," it read.

"We pray that Mr. Biden's remarks will prompt the President to respond now, once and for all, to the official requests for Jonathan's release — many of which have been pending for a year or more."

"We are hurting but hopeful that President Obama will do the right thing now, for Jonathan, for the Jews, and for the American People — as a matter of simple justice," she concluded.