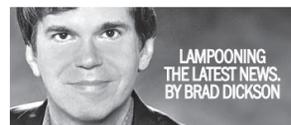


BREAKING BRAD



It was so hot Tuesday, I was sweating like the Omaha police chief checking the percentage of burglaries solved by the department.

It was so hot outside, for a second, I thought Mayor Stothert had annexed Phoenix.

Due to the severe heat, Gov. Dave Heinemen is taking action. Well, he's checking to see if any weather forecasters in the state are undocumented.

The Greater Omaha Chamber of Commerce's new image-boosting slogan is "We Don't Coast." To which a chorus of dazed Omahans replied, "We Don't Get It."

Now, the chamber is planning to develop a sub-brand for each county. Oh, please. Quit while you're ahead.

"We Don't Coast." I guess this means Omaha will never host the Soap Box Derby.

For Brad's latest musings, go to Omaha.com/Dickson

FOR THE RECORD

Wrong hotel: A shooting that seriously injured a man early Sunday occurred in a parking lot near the Hilton Garden Inn at 11th and Dodge Streets. The hotel was misidentified in Monday editions.

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@OWHBIGRED

Track all the updates on everything Huskers.

LOTTERIES

POWERBALL
Saturday, July 19: 10-17-25-45-53.
Powerball: 9. **Power Play:** 2. One winning ticket sold in California for \$60 million jackpot. **Jackpot for Wednesday, July 23:** \$40 million.

MEGA MILLIONS
Tuesday, July 22: 14-18-22-31-47.
Megaball: 15. **Megaplier:** 3. No jackpot winner. **Jackpot for Friday, July 25:** \$67 million.

NEBRASKA
Pick 5 — Tuesday, July 22: 17-18-22-24-35. No jackpot winner. **Jackpot for Wednesday, July 23:** \$106,000.
MyDaY — Tuesday, July 22: 8-12-93.
2by2 — Tuesday, July 22: red 15-23; white 25-26.
Pick 3 — Tuesday, July 22: 3-5-8.
IOWA
All or Nothing — Tuesday, July 22: midday 1-2-3-10-11-12-14-15-17-22-23-24; evening 1-3-5-7-8-13-16-17-18-20-22-24.
Hot Lotto — Saturday, July 19: 5-10-11-33-38. **Hot Ball:** 7.
Pick 3 — Tuesday, July 22: midday 5-9-0; evening 5-7-0.
Pick 4 — Tuesday, July 22: midday 8-2-4-0; evening 4-7-5-4.

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Archbishop: Soft-spoken leader urged to more action on social issues

Continued from Page 1

Catholics these days perhaps have higher expectations of their spiritual leaders because of Pope Francis, who has inspired and invigorated his flock during the first year of his headline-making papacy.

Some local Catholics even compare Lucas to his boss, praising the archbishop for listening first, rather than just issuing pronouncements. Stories about about Lucas being the last to take a seat at receptions as he talks one-on-one with everyone from kids to grandmas.

There was the time he talked to so many people under a hot sun at a parish picnic that he got scorched, and the time he listened for two hours as members of the LGBT community shared how the Catholic Church's position on homosexuality has affected their faith and family life.

"He's got a pastor's heart," said the Rev. Dan Kampschneider of Omaha's St. Vincent de Paul Church.

Catholics can find it tough to talk about Lucas without comparing him with his predecessor, retired Archbishop Elden Francis Curtiss, whom many perceived as confrontational.

Others say that while they like Lucas' collaborative style, they want stronger words and actions on social justice issues.

"He has the tools," said Mary Kalamaja, an Omaha Catholic. "I'd just like to see him have the confidence to use them."

Kampschneider says Lucas isn't just a leader who excels at listening and bonding with people. He points to Lucas taking on major efforts, such as the

largest ever series of parish mergers in Omaha.

Under the plan, 34 parishes east of 72nd Street became 26 parishes over the past year. The plan also resulted in closing three schools and placing five in a consortium with a common governance.

The archdiocese said the effort was aimed at strengthening schools and parishes and dealing strategically with long-term demographic shifts in Omaha, a shortage of priests and tight finances at some churches and schools.

"That is risk-taking leadership," said Linda Stryker, director of religious education at St. Margaret Mary Parish. "You are going to make people mad."

Larry Ziska, a member of one of the affected churches, Blessed Sacrament, said parishioners were given opportunities to raise concerns and questions before the plan was set.

"You never thought you were being pushed (by Lucas)," Ziska said. "It was a matter of, 'I'm there with you.'"

Supporters also praise Lucas for what they say was firm yet compassionate handling of the Intercessors of the Lamb religious group.

Lucas disbanded the group in fall 2010 after an outside canon lawyer's investigation made a number of alarming discoveries, including questionable financial practices and intimidation tactics.

Rather than shut down the group immediately, Lucas told its leaders that they must work with the archdiocese and make reforms to stay active. When the archdiocese determined

that they were not cooperating, Lucas broke up the group but provided a place for members to live while they determined the next step in their lives.

"He did it in a pastoral way," said Rev. Dave Korth, president of the archdiocese Priest Council.

Severes, the St. Vincent de Paul official, said there's no doubt that Lucas has compassionately carried out his duties and has built trust with his flock. But now it's time for him to tap that good will by challenging clergy and Catholics to take action on social justice.

"Instead of buying that next statue or renovating that church, look around the neighborhood and see what we could do to be more connected to the community," she said.

Severes said Lucas has a "heart for the poor," but he and his priests should be more vocal on specific ways church members can help.

"It (the message) seems to be more devotional than let's roll up our sleeves and do something," she said. "I'd like to see more solidarity with those who struggle."

Ben Salazar, an Omaha Latino activist, said he would like to see Lucas lobby harder with Nebraska and national lawmakers for immigration changes. The issue requires visible, aggressive leadership, and Lucas hasn't shown it, he said.

Kalamaja, the local Catholic, said Lucas has been "mostly invisible" on immigration reform and other social justice issues. She said she likes Lucas and believes his soft-spoken charisma is effective in helping Catholics grow spiritually. Now it's time for the archbishop to use his

influence to get real movement on these issues.

Lucas said he's repeatedly contacted state and national lawmakers about the need to reform the system of immigration law and enforcement. He has also joined bishops in supporting government-funded prenatal care regardless of the mother's immigration status.

Deacon Tim McNeil, chancellor of the archdiocese, said Lucas has also shown his commitment by creating two positions tied to the Latino community, including a Latino ministry coordinator.

McNeil said helping the poor also is a priority for Lucas. The archbishop, he said, has served food to the homeless at shelters to better understand their plight. He also remains committed to continuing the \$500,000 in funding the archdiocese provides annually to Catholic Charities.

Lucas said his strong support of Catholic schools assists the poor because a good education leads to jobs. The biggest fundraising campaign in the archdiocese's history is underway, and more than half of the \$40 million goal would go to support Catholic education.

Eileen Burke-Sullivan, vice provost for mission and ministry at Creighton University, said some people might underestimate Lucas because of his style. While Lucas isn't a leader who shouts and tries to grab attention, he is passionate, she said.

"He's not interested in making a splash," she said. "But he's a shepherd that takes care of his flock."

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Health care: Few have much hope that Congress can agree on a solution

Continued from Page 1

Nebraska and Iowa.

But for now, Gold said, "I think the thing you do is relax." He and other insurers, including Blue Cross affiliates in Nebraska and Iowa, noted that Tuesday's court decisions by three-judge Circuit Court panels don't affect subsidies on current policies. Also unaffected is coverage provided by employers, Medicaid and Medicare.

It's unclear how soon the courts will resolve the issues, although making changes now would disrupt preparations underway for renewing or issuing millions of health insurance policies for 2015. Congress also could act to resolve the issue, but its disagreements over health care make such action unlikely.

If the cases wind up before the U.S. Supreme Court, a decision may be a year away, although the justices could decide to act more quickly. Their next term begins in October.

Under the Affordable Care Act, 14 states and the District of Columbia set up marketplaces, also called exchanges, where people could buy health insurance and, depending on their income, receive tax credits to reduce their monthly premiums.

For the 36 states that did not set up exchanges, the law called for the federal government to set up exchanges.

Opponents of the health care law filed lawsuits to argue that the wording of the law authorizes subsidies only for people enrolled in health plans "through an Exchange established by the State," not through federally facilitated exchanges.

The Obama administration argued that if a state didn't set up an exchange, the law says the federal government "shall establish and operate such exchange," with "such" implying that the federal exchanges would operate the same, including subsidies.

In the D.C. decision, Judges Thomas Griffith and A. Raymond Randolph agreed with the law's opponents.

"We reach this conclusion, frankly, with reluctance," Griffith wrote, adding that the decision "will likely have significant consequences both for the millions of individuals receiving tax credits through federal exchanges and for health insurance markets more broadly."

In the decision by the 4th Circuit Court in Richmond, Virginia, Judges Roger Gregory, Stephanie Thacker and Andre Davis ruled in favor of the federal marketplace subsidies, saying that the law's language is ambiguous but that the Internal Revenue Service's rule allowing the subsidies is "a permissible exercise of the agency's discretion."

Otherwise, Gregory wrote, "the economic framework supporting the Act would crumble."

Two similar cases challenging subsidies from federal district courts in Oklahoma and Indiana also are under appeal.

When circuit courts disagree on important issues, the U.S. Supreme Court is likely to hear cases to resolve the differences. But Tuesday's three-judge decisions can be appealed to the full circuit courts, which could mean a change in either or both rulings. The Department of Justice already announced that it would appeal the D.C. panel's decision.

The rulings brought quick reactions.

U.S. Sen. Mike Johanns, R-Neb., predicted that the law would end up before the Supreme Court. "It is time for the nonsense to stop. ... We need to set politics aside, scrap this law and do something to actually help families receive the health care they want instead of the health care the government thinks is best."

State Sen. Jeremy Nordquist of Omaha, who has favored having a state exchange in Nebraska, said the divergent rulings illustrate the lengthy legal process ahead. He said Congress intended the tax credits for people in all states and he hopes the courts will look carefully at the legislative history surrounding the law.

If the D.C. court ruling were to prevail, he said, it could force congressional Republicans to make some tough decisions: If they do nothing, many people could be forced to drop their health insurance coverage. "The big point here is the lives that would be affected," Nordquist said.

Gov. Dave Heineman said Tuesday that it would be premature to comment.

In 2012, Heineman decided against creating a state-run exchange, saying it would cost Nebraska taxpayers \$470 million more over eight years than a federal exchange. He also had

concerns about the amount of flexibility that the federal government would allow the state in setting up an exchange.

Ramage, the Nebraska health director, said he was surprised by the D.C. ruling because it turned on a few words in the law but could have a broad impact. If the ruling holds, he said, "there's going to be a lot of individuals who may find it difficult to afford the ACA coverage."

If thousands of people once again can't afford insurance, he said, the mix of healthy and sickly people covered by insurance in Nebraska would change. Insurance companies have set their rates according to the health risk of the people they expect to buy insurance, and changing the rules could alter the risks for the insurers.

People who are the sickest would be more likely to buy coverage even without subsidies because it would be cheaper than trying to pay medical bills on their own, he said.

For now, Iowa Insurance Commissioner Gerhart said, states will stick with what they know for sure, which is the status quo for health insurance policies now and for the process underway for next year.

June 30 was the deadline for insurance companies to file proposed rates for 2015 in Iowa, and the department is reviewing those rates so they will be in place by this fall when consumers are renewing or buying insurance, including policies that will be sold on the federal marketplace as part of a partnership Iowa has with the federal government.

Those rates are based on assumptions that policies sold on the Iowa exchange will have subsidies available, Gerhart said.

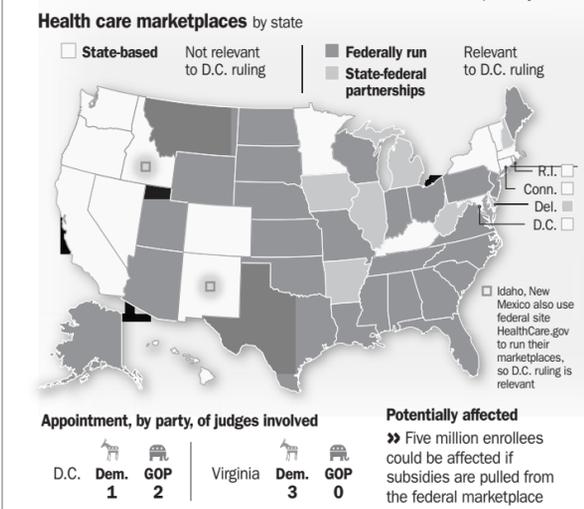
If the D.C. ruling is upheld, said Gold, the CoOpportunity co-founder, the financial burden of insurance shifts to individuals because the law requires them to be insured. If they can't afford it, they may face penalties in the form of the government reducing their tax refunds.

Medical providers, meanwhile, would have to decide how to treat more uninsured people, Gold said, as insurance companies cancel policies of people who stop paying the higher premiums.

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COURT OPINIONS CONFLICT ON HEALTH CARE SUBSIDIES

Two federal judicial panels — one in Washington, D.C., one in Virginia — Tuesday issued conflicting rulings on the legality of federal subsidies for enrollees in the Affordable Care Act in the 36 states that use the federal health insurance marketplace system.



SOURCES: Kaiser Family Foundation, Reuters, NBC News
 MCLATCHY NEWSPAPERS

Namesake of D.C. case now lives in Lincoln, her situation changed

By STEVE JORDON
 WORLD-HERALD STAFF WRITER

If a lawsuit wending its way through the courts ultimately brings down Obamacare, they'll be talking about Jacqueline Halbig for a long time, even though her name is now Jacqueline Schleppebach.

And she's married and living in Lincoln, with a different insurance status no longer affected by the parts of the Affordable Care Act cited in the lawsuit.

With a Tuesday ruling by the Circuit Court of Appeals in Washington, D.C., "the Halbig case" is the subject of news stories, blogs and commentary. That doesn't mean she's the most important plaintiff; she was just first alphabetically among four plaintiffs.

She declined to comment Tuesday, said her husband, Greg Schleppebach, director of pro-life activities for the Nebraska Catholic Conference. The two married in November and she moved from Virginia to Lincoln the next month.

With that, her health coverage shifted to her husband's group policy, and the situation that made her a plaintiff in the federal lawsuit evaporated.

Sam Kazman, general counsel for the Competitive Enterprise Institute in Washington, which is funding the lawsuits, said Jacqueline Schleppebach was a "someone who knew someone" when the legal team was finding people who would be harmed by the health care law.

LUCAS' MAJOR STEPS

March 2010: Creates the Vision for Schools task force, which identified challenges facing Catholic schools and developed a blueprint for strengthening them.

October 2010: Disbands Intercessors of the Lamb religious group after an outside canon lawyer's investigation made a number of alarming discoveries, including questionable financial practices and intimidation tactics.

2011: Begins increasing the number of college missionaries serving the University of Nebraska at Omaha and Wayne State College through a Colorado fellowship group.

Summer 2013: Begins carrying out largest ever series of parish mergers in Omaha. Plan also results in closing three schools and placing five in a consortium with a common governance.

November 2013: Announces decisions on two local priests found guilty by the archdiocese of sexually abusing minors. One priest was dismissed and the other sentenced to a life of prayer and penance.

January 2014: Launches public phases of biggest fundraising campaign in the archdiocese's history. More than half of the \$40 million goal would go to support Catholic education.

January 2014: Moves ahead with plans to build the John Paul II Newman Center adjacent to the University of Nebraska at Omaha's Pacific Street Campus. Scheduled to open in fall 2016.

Spring 2014: Creates two archdiocesan positions focusing on outreach to the Latino community.

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