

NEW MEXICO INJURY ATTORNEY BLOG

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A Little Tort Reform with That Tea?

The purported vision of the Tea Party is compelling. The Tea Party would purportedly like to see responsibility and accountability on the part of government, corporations and individuals. In particular, the Tea Party decries the wasteful spending of government. Though they make plenty of noise, the Tea Party remains silent on issues that truly are financially crippling to taxpayers like themselves. They fall victim to the same cynical corporate and insurance industry manipulation that drives Tort Reform.

The true colors of those driving the Tea Party and Tort Reform, and make no mistake these are the same groups, is evident in their opposition to even the hint of true reform. This became evident in the Republican position on financial reform. Out of one side of their mouth they scream abuse and waste in the bailout, while from the other they spew contempt for the very governmental regulations that could have prevented the collapse.

We see it again now with the BP disaster. It is almost too outrageous to believe but Republicans in the midst of what may become the worst environmental disaster in the history of the planet are already fighting for caps on liability for the oil companies that caused the disaster and for those that cause them in the future. The good Senator Murkowski of Alaska says these limits are necessary to protect small business. This is a typical battle cry of the right, "Protect Small Business." Is the constant refrain of Tort Reform. Is this really their concern?

Where is the Tea Party, Tort Reform, Senator Murkowski, and the Republican party when small business, truly small business, is at stake? Take for instance the thousands of small businesses that will be destroyed by the BP disaster. They are not talking about that small business. The small business they want to protect is BP, Halliburton, Transocean, the insurance industry and the many other mom and pop operations involved in the offshore drilling industry. It is more than ironic that Senator Murkowski is seeking to limit liability for these companies while Transocean has already received \$401 million in partial payment on its insurance claims for the loss of its rig. Where is the outrage from the Tort Reform movement? Will this not drive up our insurance costs just as when an insurance company must pay a claim for a medical malpractice related death?

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And while Transocean has received \$401 million in insurance payments, they and their allies on the Right continue to fight to limit their liability to a mere \$27 million. It is clear that these groups have no interest in protecting truly American small businesses along the Gulf Coast. But they will spare no expense protecting the small businesses of Dubai (Halliburton), Switzerland by way of the Cayman Islands (Transocean) and the poor and vulnerable insurance industry that really does suffer most in these crisis.

It was easy to predict that BP and their buddies would run for shelter as quickly as possible after first declaring the intention to pay for all damages caused by the BP spill. It was equally predictable that the Republicans would come to their aid. Just as Republicans fight to preserve the very Wall Street practices that very nearly destroyed the world economy, they now fight for limited liability for oil companies that destroy the sacred small businesses that they purportedly champion. The Tea Party, created out of fictional threats dreamt up by the Right, has predictably stayed silent despite the obvious harm to its own interests.

Accountability and responsibility is the fundamental principle underlying American democracy. A true political movement based on individual, corporate and governmental accountability and responsibility would provide a positive role in shaping public policy for the protection of the public. But there is no meat at the Tea Party, just watered down, probably imported tea, with what appears to be some toxic sugar substitute. The very people that purport to care most about American taxpayers will cost those taxpayers most dearly as we the taxpayers continue to bear the costs of financial corruption on Wall Street, predatory credit card companies, a banking system that continues to hoard interest free government loans while refusing loans to small business, an abusive and bloated insurance industry, and oh yeh, the billions that the BP disaster will costs small businesses and their employees along the Gulf Coast, and the taxpayers that must ultimately foot the bill.

Once again, please weigh in with your representatives. This IS important.

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