

114TH CONGRESS
1ST SESSION

S. 16

To amend the Patient Protection and Affordable Care Act to apply the provisions of the Act to certain Congressional staff and members of the executive branch.

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 2015

Mr. VITTER (for himself and Mr. CRUZ) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Patient Protection and Affordable Care Act to apply the provisions of the Act to certain Congressional staff and members of the executive branch.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No Exemption for
5 Washington from Obamacare Act”.

1 **SEC. 2. HEALTH INSURANCE COVERAGE FOR CERTAIN**
2 **CONGRESSIONAL STAFF AND MEMBERS OF**
3 **THE EXECUTIVE BRANCH.**

4 Section 1312(d)(3)(D) of the Patient Protection and
5 Affordable Care Act (42 U.S.C. 18032(d)(3)(D)) is
6 amended—

7 (1) by striking the subparagraph heading and
8 inserting the following:

9 “(D) MEMBERS OF CONGRESS, CONGRES-
10 SIONAL STAFF, AND POLITICAL APPOINTEES IN
11 THE EXCHANGE.—”;

12 (2) in clause (i), in the matter preceding sub-
13 clause (I)—

14 (A) by striking “and congressional staff
15 with” and inserting “, congressional staff, the
16 President, the Vice President, and political ap-
17 pointees with”; and

18 (B) by striking “or congressional staff
19 shall” and inserting “, congressional staff, the
20 President, the Vice President, or a political ap-
21 pointee shall”;

22 (3) in clause (ii)—

23 (A) in subclause (II), by inserting after
24 “Congress,” the following: “of a committee of
25 Congress, or of a leadership office of Con-
26 gress,”; and

1 (B) by adding at the end the following:

2 “(III) POLITICAL APPOINTEE.—

3 In this subparagraph, the term ‘polit-
4 ical appointee’ means any individual
5 who—

6 “(aa) is employed in a posi-
7 tion described under sections
8 5312 through 5316 of title 5,
9 United States Code (relating to
10 the Executive Schedule);

11 “(bb) is a limited term ap-
12 pointee, limited emergency ap-
13 pointee, or noncareer appointee
14 in the Senior Executive Service,
15 as defined under paragraphs (5),
16 (6), and (7), respectively, of sec-
17 tion 3132(a) of title 5, United
18 States Code;

19 “(cc) is employed in a posi-
20 tion in the executive branch of
21 the Government of a confidential
22 or policy-determining character
23 under schedule C of subpart C of
24 part 213 of title 5 of the Code of
25 Federal Regulations; or

1 “(dd) is employed in or
2 under the Executive Office of the
3 President in a position that is ex-
4 cluded from the competitive serv-
5 ice by reason of its confidential,
6 policy-determining, policy-mak-
7 ing, or policy-advocating char-
8 acter.”; and

9 (4) by adding at the end the following:

10 “(iii) GOVERNMENT CONTRIBUTION.—

11 No Government contribution under section
12 8906 of title 5, United States Code, shall
13 be provided on behalf of an individual who
14 is a Member of Congress, a congressional
15 staff member, the President, the Vice
16 President, or a political appointee for cov-
17 erage under this paragraph.

18 “(iv) LIMITATION ON AMOUNT OF TAX

19 CREDIT OR COST-SHARING.—An individual
20 enrolling in health insurance coverage pur-
21 suant to this paragraph shall not be eligi-
22 ble to receive a tax credit under section
23 36B of the Internal Revenue Code of 1986
24 or reduced cost-sharing under section 1402
25 of this Act in an amount that exceeds the

1 total amount for which a similarly situated
2 individual (who is not so enrolled) would be
3 entitled to receive under such sections.

4 “(v) LIMITATION ON DISCRETION FOR
5 DESIGNATION OF STAFF.—Notwith-
6 standing any other provision of law, a
7 Member of Congress shall not have discre-
8 tion in determinations with respect to
9 which employees employed by the office of
10 such Member are eligible to enroll for cov-
11 erage through an Exchange.”.

○