

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.

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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

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## 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.”.

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