

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

□ 1300

# BROADER OPTIONS FOR AMERICANS ACT

Mr. TIBERI. Mr. Speaker, pursuant to House Resolution 379, I call up the bill (H.R. 2579) to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 379, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2579

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Broader Options for Americans Act”.

## SEC. 2. PREMIUM TAX CREDIT ALLOWED WITH RESPECT TO UNSUBSIDIZED COBRA CONTINUATION COVERAGE.

(a) IN GENERAL.—Section 36B(f) of the Internal Revenue Code of 1986 is amended—

(1) by inserting after “in section 9832(b)” the following: “offered in the individual health insurance market within a State (within the meaning of section 5000A(f)(1)(C)), or any unsubsidized COBRA continuation coverage”, and

(2) by striking paragraph (1) and by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (1), (2), (3), and (4), respectively.

(b) CERTIFICATION OF UNSUBSIDIZED COBRA CONTINUATION COVERAGE.—Section 36B(g) of such Code is amended by redesignating paragraph (9) as paragraph (10) and by inserting after paragraph (8) the following new paragraph:

“(9) SPECIAL RULE FOR UNSUBSIDIZED COBRA CONTINUATION COVERAGE.—In the case of unsubsidized COBRA continuation coverage—

“(A) subsection (d)(1) shall be applied by substituting ‘COBRA continuation coverage which is certified by the plan administrator (as defined in section 414(g)) of the group health plan’ for ‘health insurance coverage which is certified by the State in which such insurance is offered’, and

“(B) the requirements of paragraph (8) shall be treated as satisfied if the certification meets such requirements as the Secretary may provide.”.

(c) UNSUBSIDIZED COBRA CONTINUATION COVERAGE.—Section 36B of such Code is amended by adding at the end the following new subsection:

“(h) UNSUBSIDIZED COBRA CONTINUATION COVERAGE.—For purposes of this section—

“(1) IN GENERAL.—The term ‘unsubsidized COBRA continuation coverage’ means COBRA continuation coverage the payment of applicable premiums (as defined in section 4980B(f)(4)) for which is solely the obligation of the taxpayer.

“(2) COBRA CONTINUATION COVERAGE.—The term ‘COBRA continuation coverage’ means continuation coverage provided—

“(A) pursuant to part 6 of subtitle B of title I of the Employee Retirement Income Security

Act of 1974 (other than under sections 602(5) and 609), title XXII of the Public Health Service Act, section 4980B (other than subsection (f)(1) thereof insofar as it relates to pediatric vaccines), or section 8905a of title 5, United States Code,

“(B) under a State law or program that provides coverage comparable to coverage described in subparagraph (A), or

“(C) under a group health plan that is a church plan (as defined in section 414(e)) and is comparable to coverage provided pursuant to section 4980B.

Such term shall not include coverage under a health flexible spending arrangement.”.

(d) CONFORMING AMENDMENT.—

(1) Section 36B(d)(2)(A) is amended by inserting “COBRA continuation coverage or” after “other than”.

(2) Section 36B(g)(6) of such Code is amended by striking “subsection (f)(5)” and inserting “subsection (f)(4)”.

(e) AMENDMENT OF SECTION 36B AS AMENDED BY AMERICAN HEALTH CARE ACT OF 2017.—Whenever in this section an amendment is expressed in terms of an amendment to section 36B of the Internal Revenue Code of 1986, the reference shall be considered to be made to such section as amended by the American Health Care Act of 2017 and in effect for months beginning after December 31, 2019.

(f) EFFECTIVE DATE.—The amendments made by this section are contingent upon the enactment of the American Health Care Act of 2017 and shall apply (if at all) to months beginning after December 31, 2019, in taxable years ending after such date.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. TIBERI) and the gentleman from Massachusetts (Mr. NEAL) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio.

## GENERAL LEAVE

Mr. TIBERI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, too, want to add my thoughts and prayers for our colleague and friend, Congressman STEVE SCALISE, and the victims of yesterday's shooting. May God be with them during this time.

Mr. Speaker, my bill, Broader Options for Americans Act, is before us today.

We have all heard about COBRA continuation coverage, which allows someone with group health insurance who experiences a qualifying life event to keep their job-based coverage when they no longer have a job and, most importantly, their plan's networks of providers—doctors, hospitals, et cetera—for a certain amount of time.

Currently, consumers with COBRA coverage, who could face a cost of up to 102 percent of plan costs, are not eligible for ObamaCare's Federal subsidies. My bill allows individuals who pay for the full cost of such continuation of

coverage to qualify for the tax credit established under the American Health Care Act.

This allows those consumers, including clergy, church lay workers, and their dependents who are experiencing similar circumstances and who get their coverage through church plans, who have been affected by sudden life changes to receive assistance to pay for their unsubsidized health premiums.

This bill represents another step forward in our continuing work to help Americans access more options for true patient-centered healthcare.

Mr. Speaker, this hits close to home for me. As a high school student, my dad lost his job of 25 years. I think the gentleman from Massachusetts has heard that story before. We, as a family, lost our healthcare and went into COBRA coverage.

This is a solution that impacts people across America, and I urge my colleagues on both sides of the aisle to pass this legislation today.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to express again, as I did earlier, the support we have for the Capitol Police and others for the good work they do every single day and extend our best wishes to Majority Whip SCALISE.

My friend, Mr. TIBERI, who is managing time on the Republican side, said he was, I think, 17 years old. If he were here and had supported the Clinton healthcare bill, that never would have happened. That would be another way that we might want to look at.

Mr. Speaker, as I said a bit ago, this is an unusual procedure. We are being asked to amend legislation that left the institution. Heaven knows where the Republican healthcare bill rests today. The President calls it mean; the Senate won't tell us where they are, as they write the bill, and when it might emerge; and we find ourselves offering amendments to something that is not going to happen.

H.R. 2579, the Broader Options for Americans Act, would allow premium tax credits to be used for unsubsidized COBRA coverage under TrumpCare. Unfortunately, this does nothing to fix the AHCA, the underlying measure this bill intends to amend.

Older Americans are likely to rely on COBRA, and the AHCA would allow insurers to charge older Americans up to five times more than they charge younger Americans. The tax credits in H.R. 2579 would not make COBRA coverage any more affordable for the American people. In addition, it could potentially weaken the risk pool coverage because it would encourage older and sicker workers to remain on COBRA that could hurt small businesses. This is simply a backdoor way for States to discriminate against existing conditions.

Because of weakening essential healthcare in the underlying

TrumpCare bill, COBRA is going to be needed again to help people who leave employment for health reasons or have preexisting conditions.

Let me remind the American people how we got here in the first place. Last month, Republicans brought TrumpCare to the House floor and passed it without a single Democrat supporting it. The measure, as passed, would take away health insurance for millions of Americans, raise premiums for working families, and place an age tax on older Americans.

The bill is just one of the many promises the Republican leadership continues to make in an effort to twist arms for votes from their caucus to pass TrumpCare.

I am also concerned that the House ignored important procedures when considering bills that are on the floor today.

First, since the Republican bill passed, the CBO numbers confirmed the measure would force Americans to pay more for lower quality healthcare coverage. That is not in dispute.

Second, this bill is not appropriate to consider now because it amends TrumpCare, and it hasn't even passed the Senate.

Even if this bill was incorporated into TrumpCare, it would not undo the terrible cuts included in the measure. It would leave 23 million Americans without health insurance, cut Medicaid by \$800 billion, discriminate against individuals with preexisting conditions; and will drastically raise premiums for older Americans.

It would unravel important consumer protections or cut programs designed to address the opioid addiction crisis in my State of Massachusetts, and throughout the Nation. I am quite certain everyone here and watching this debate has someone close to them dealing with a drug or alcohol addiction.

In addition, many middle class Americans rely on Medicaid for long-term care. That is beginning to resonate with the American people.

This bill does nothing to fix the Republican repeal measure, as I have noted, and it is likely to create more and new problems.

I encourage my Republican friends and colleagues to go back to the drawing board, craft a bill with us, and fix the problems in the Affordable Care Act. There is a chance to do that.

Twenty-three million more Americans have health insurance because of the passage of the Affordable Care Act. Now is not the time to retreat. In times like this, we should be advancing these arguments in this institution for hardworking Americans and their families.

Mr. Speaker, I reserve the balance of my time.

Mr. TIBERI. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield back the balance of my time.

Mr. TIBERI. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, on a personal basis, I have a tremendous amount of love and respect for Mr. NEAL.

We, obviously, have a disagreement. I tell my daughters about how a bill becomes law, and I don't need to tell the gentleman from Massachusetts how a bill becomes law, but we certainly, I think, believe that there are opportunities to not only improve what you say is the Affordable Care Act but the bill that we passed. That is what we are doing today.

I hope to work with him to continue to do that, as the Senate passes its own bill, and, hopefully, go to a conference committee. Hopefully, the gentleman will be on that conference committee.

Mr. NEAL. Will the gentleman yield? Mr. TIBERI. I yield to the gentleman from Massachusetts.

Mr. NEAL. What is a conference committee? When is the last time one of those occurred in this institution?

Mr. TIBERI. Reclaiming my time, not lately. Two years ago.

One of the frustrations about the CBO report that never gets reported is the fact that millions of people will choose not to have healthcare. That is what the CBO says.

It is not often repeated in the national media or on the floor here, but I would just kind of remind everybody that, often, the other side of the aisle speaks a lot about choice and the freedom to choose. And with respect to healthcare, that is what millions of people will do, according to CBO.

I would also like to remind my friend—and I do mean that—that there are millions of Americans in my State alone who have insurance but don't have the choice of provider they once had or the choice of a hospital they once had. That is pretty traumatic.

There are people who have insurance, but premiums have doubled and tripled in the last several years and out-of-pocket expenses for those who are not subsidized have gone to levels that are unprecedented.

I surely appreciate and would remind the gentleman from Massachusetts that this bill before us today simply says that we expand choices, we expand options for Americans by allowing them for the very first time to receive financial assistance if they lose their healthcare insurance.

I know it is not perfect, but it is good. I hope that we can improve on all these aspects that the gentleman and I have talked about today.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. THOMPSON of Pennsylvania). All time for debate has expired.

Pursuant to House Resolution 379, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TIBERI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 267, nays 144, not voting 19, as follows:

[Roll No. 308]

YEAS—267

Abraham	Fortenberry	McMorris
Aderholt	Foster	Rodgers
Allen	Fox	McSally
Amash	Franks (AZ)	Meadows
Amodel	Frelinghuysen	Meehan
Arrington	Gaetz	Messer
Babin	Gallagher	Mitchell
Bacon	Garrett	Moolenaar
Banks (IN)	Gibbs	Mooney (WV)
Barletta	Gonzalez (TX)	Mullin
Barr	Goodlatte	Murphy (FL)
Barton	Gosar	Murphy (PA)
Bera	Gotthelmer	Newhouse
Bergman	Gowdy	Noem
Biggs	Granger	Nunes
Bilirakis	Graves (GA)	O'Halleran
Bishop (GA)	Graves (LA)	O'Rourke
Bishop (MI)	Graves (MO)	Olson
Bishop (UT)	Griffith	Palazzo
Black	Grothman	Palmer
Blackburn	Guthrie	Paulsen
Blum	Harper	Pearce
Bost	Hartzler	Perry
Brady (TX)	Hensarling	Peters
Brat	Herrera Beutler	Peterson
Bridenstine	Hice, Jody B.	Pittenger
Brooks (AL)	Higgins (LA)	Poe (TX)
Brooks (IN)	Hill	Poliquin
Brownley (CA)	Himes	Posey
Buchanan	Holding	Ratcliffe
Buck	Hollingsworth	Reichert
Bucshon	Hudson	Renacci
Budd	Huizenga	Rice (NY)
Burgess	Hultgren	Rice (SC)
Bustos	Hunter	Roby
Byrne	Hurd	Roe (TN)
Calvert	Issa	Rogers (AL)
Carbajal	Jenkins (KS)	Rogers (KY)
Carter (GA)	Jenkins (WV)	Rohrabacher
Carter (TX)	Johnson (OH)	Rokita
Chabot	Jones	Rooney, Francis
Chaffetz	Jordan	Rooney, Thomas
Cheney	Joyce (OH)	J.
Coffman	Katko	Ros-Lehtinen
Cohen	Kelly (MS)	Rosen
Collins (GA)	Kelly (PA)	Roskam
Collins (NY)	Kihuen	Ross
Comer	Kind	Rothfus
Comstock	King (IA)	Royce (CA)
Conaway	King (NY)	Ruiz
Cook	Kinzinger	Russell
Correa	Knight	Rutherford
Costa	Kustoff (TN)	Sanford
Costello (PA)	LaHood	Schneider
Courtney	LaMalfa	Schweikert
Cramer	Lamborn	Scott (VA)
Crawford	Lance	Scott, Austin
Crist	Latta	Sensenbrenner
Cuellar	Lawson (FL)	Sessions
Culberson	Lewis (MN)	Shea-Porter
Curbelo (FL)	Lieu, Ted	Shimkus
Davidson	Lipinski	Shuster
Davis, Rodney	LoBiondo	Sinema
DeFazio	Loeb	Smith (MO)
Delaney	Long	Smith (NE)
Denham	Loudermilk	Smith (NJ)
Dent	Love	Smith (TX)
DeSantis	Lucas	Smucker
DesJarlais	Luetkemeyer	Stefanik
Diaz-Balart	Lujan Grisham,	Stewart
Donovan	M.	Stivers
Duffy	Lynch	Suozy
Duncan (SC)	MacArthur	Taylor
Duncan (TN)	Maloney, Sean	Tenney
Dunn	Marchant	Thompson (PA)
Emmer	Marino	Thornberry
Estes (KS)	Marshall	Tiberi
Esty (CT)	Massie	Tipton
Farenthold	Mast	Trott
Faso	McCarthy	Turner
Ferguson	McCaul	Upton
Fitzpatrick	McClintock	Valadao
Fleischmann	McHenry	Wagner
Flores	McKinley	Walberg

Walden	Westerman	Yarmuth
Walker	Williams	Yoder
Walorski	Wilson (SC)	Yoho
Walters, Mimi	Wittman	Young (AK)
Webster (FL)	Womack	Young (IA)
Wenstrup	Woodall	Zeldin

## NAYS—144

Adams	Gabbard	Nadler
Aguilar	Gallego	Neal
Barragán	Garamendi	Nolan
Bass	Green, Al	Pallone
Beatty	Green, Gene	Panetta
Beyer	Grijalva	Pascarell
Blumenauer	Gutiérrez	Pelosi
Bonamici	Hanabusa	Perlmutter
Boyle, Brendan	Hastings	Pingree
F.	Heck	Pocan
Brady (PA)	Higgins (NY)	Polis
Brown (MD)	Hoyer	Price (NC)
Butterfield	Huffman	Quigley
Capuano	Jackson Lee	Raskin
Cárdenas	Jayapal	Richmond
Carson (IN)	Jeffries	Roybal-Allard
Cartwright	Johnson (GA)	Ruppersberger
Castor (FL)	Johnson, E. B.	Rush
Castro (TX)	Keating	Ryan (OH)
Chu, Judy	Kelly (IL)	Sánchez
Cicilline	Kennedy	Sarbanes
Clark (MA)	Khanna	Schakowsky
Clarke (NY)	Kildee	Schiff
Clay	Kilmer	Schrader
Cleaver	Krishnamoorthi	Scott, David
Clyburn	Kuster (NH)	Serrano
Connolly	Langevin	Sewell (AL)
Conyers	Larsen (WA)	Sherman
Cooper	Larson (CT)	Sires
Crowley	Lawrence	Slaughter
Davis (CA)	Lee	Smith (WA)
Davis, Danny	Levin	Soto
DeGette	Lewis (GA)	Speier
DeLauro	Lofgren	Swalwell (CA)
DeBene	Lowenthal	Takano
Demings	Lowe	Thompson (CA)
DeSaulnier	Luján, Ben Ray	Thompson (MS)
Deutch	Maloney	Titus
Dingell	Carlygn B.	Tonko
Doggett	Matsui	Torres
Doyle, Michael	McCollum	Tsongas
F.	McEeachin	Vargas
Ellison	McGovern	Veasey
Engel	McNerney	Velázquez
Eshoo	Meeks	Visclosky
Espallat	Meng	Waters, Maxine
Evans	Moore	Watson Coleman
Frankel (FL)	Moulton	Welch
Fudge		Wilson (FL)

## NOT VOTING—19

Blunt Rochester	Labrador	Simpson
Cole	Napolitano	Vela
Cummings	Norcross	Walz
Gohmert	Payne	Wasserman
Harris	Reed	Schultz
Johnson (LA)	Rouzer	Weber (TX)
Johnson, Sam	Scalise	

## □ 1340

Messrs. **CICILLINE**, **CONYERS**, **HECK**, and **BEN RAY LUJÁN** of New Mexico changed their vote from “yea” to “nay.”

Mr. **CORREA**, Ms. **SHEA-PORTER**, Messrs. **LYNCH**, **COHEN**, and **BISHOP** of Georgia changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. **REED**. Mr. Speaker, on Thursday, June 15, 2017, I was unable to vote on rollcall No. 308: Passage of H.R. 2579, “Broader Options for Americans Act.” Had I been present, I would have voted “yes.”

Mr. **ROUZER**. Mr. Speaker, on Thursday, June 15, I was absent from votes on account of attending funeral, and had I been present, I would have voted as follows: Rollcall No. 308—“yea.”

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The **SPEAKER pro tempore**. Without objection, a motion to reconsider the vote on passage of H.R. 2372 is laid on the table.

There was no objection.

EXPRESSING GRATITUDE FOR THE  
HEROIC ACTIONS OF THE UNITED  
STATES CAPITOL POLICE AND  
OTHER FIRST RESPONDERS IN  
THE ATTACK ON MEMBERS OF  
CONGRESS ON JUNE 14, 2017, AND  
EXPRESSING HOPE FOR A FULL  
RECOVERY FOR THE INJURED

Mr. **MCCARTHY**. Mr. Speaker, I send to the desk a resolution and ask unanimous consent for its immediate consideration in the House and, further, ask unanimous consent that it be read in full.

The **SPEAKER pro tempore**. Without objection, the Clerk will report the resolution.

There was no objection.

The Clerk read the resolution, as follows:

## H. RES. 385

Whereas on June 14, 2017, an armed gunman opened fire at a practice for the annual Congressional Baseball Game for Charity, wounding five individuals;

Whereas United States Capitol Police Special Agents Crystal Griner, David Bailey, and Henry Cabrera responded decisively to the attack, risking their own lives to save the lives of others;

Whereas Special Agent Griner, who has been a member of the Capitol Police since July 2008, was wounded in the course of confronting and subduing the attacker;

Whereas Special Agent Bailey, who has been a member of the Capitol Police since April 2008, was wounded in the course of confronting and subduing the attacker;

Whereas Matthew (Matt) Mika, who was formerly a legislative aide for Representative Nick Smith, Representative Dave Camp, and Representative Tim Walberg, was wounded in the attack;

Whereas Zachary (Zack) Barth, a legislative aide to Representative Roger Williams, was injured in the attack; and

Whereas Representative Steve Scalise, who has served the first congressional district of Louisiana since 2008, husband of Jennifer Scalise and father to Madison and Harrison, was wounded in the attack: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) expresses its deep gratitude to United States Capitol Police Special Agents Griner, Bailey, and Cabrera who bravely placed themselves in harm's way to protect and save the lives of scores of individuals;

(2) expresses its appreciation for the daily courage and dedication of the United States Capitol Police who protect the Capitol grounds, Members of Congress, and the public, to whom the Capitol belongs;

(3) expresses its thanks to the Alexandria Police Department, Alexandria Sheriff's Office, and Alexandria Fire Department for responding swiftly and effectively to aid the United States Capitol Police officers on the scene;

(4) expresses its thanks to the first responders and health care professionals who tended to the victims;

(5) expresses its hope for a speedy and full recovery for the injured;

(6) reaffirms that an attack on any Member of Congress is an attack on every Member, on the institution, and on the very principle of representative democracy; and

(7) stands firm in its belief that violence has no place in a pluralistic society where differences are settled through debate, ballots, and a legislative process, which rests at the bedrock of our representative democracy.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## □ 1345

## LEGISLATIVE PROGRAM

(Mr. **HOYER** asked and was given permission to address the House for 1 minute.)

Mr. **HOYER**. Mr. Speaker, before I yield to the gentleman from California (Mr. **MCCARTHY**) for the purpose of asking the majority leader the schedule for the week to come, I want to just make a comment.

Yesterday, Mr. Speaker, this House and, indeed, the Nation was shaken by the horrific shooting in Alexandria. We just, unanimously, passed the majority leader's resolution. All of us are praying for the safe recovery of our friend and colleague Majority Whip **STEVE SCALISE** and others who were injured yesterday.

**STEVE** is the majority whip and I am the minority whip, and we are, therefore, in some respects, adversaries, but we are also friends. I am keeping him, his wife, Jennifer, and their children in my thoughts today.

Mr. Speaker, as you probably know, **STEVE** loves baseball. All of us have seen the broad smile on his face as he has taken to the field as a pinch runner in games past, wearing his University of Louisiana Ragin' Cajun jersey and scoring runs for his Republican team.

I am saddened—and I know all of us are—that we won't be able to see him on the field today running, hitting, and scoring; but, Mr. Speaker, we know that **STEVE** is a fighter, and I am sure we will be seeing him running the bases again in next year's Congressional Baseball Game.

Mr. Speaker, tonight, I am going to wear a T-shirt that says “Team Scalise.” His staff gave it to me yesterday. We took some pizza by their office and talked to each one of them. We have had good relations between our two offices. We have worked together on a lot of things and, yes, we have opposed from time to time, but we are friends.

I am also keeping in my thoughts the members of the Capitol Police, who keep us all safe. I am one of those who is blessed to have a detail because I am one of the leaders. Members of the Capitol Police are assigned specifically to try to make sure that I am safe—and, yes, those around me—as **STEVE**'s detail did yesterday, courageously and heroically.

I know the majority leader shares my view that every day that a member of the Capitol Police gets out of bed, puts