

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: 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—113th Cong., 1st Sess.**

**S. 761**

To promote energy savings in residential and commercial buildings and industry, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. VITTER (for himself, Mr. ENZI, Mr. HELLER, Mr. LEE, Mr. JOHNSON of Wisconsin, Mr. INHOFE, and Mr. CRUZ)

Viz:

1 At the appropriate place, insert the following:

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

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

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



1 5312 through 5316 of title 5,  
2 United States Code, (relating to  
3 the Executive Schedule);

4 “(bb) is a limited term ap-  
5 pointee, limited emergency ap-  
6 pointee, or noncareer appointee  
7 in the Senior Executive Service,  
8 as defined under paragraphs (5),  
9 (6), and (7), respectively, of sec-  
10 tion 3132(a) of title 5, United  
11 States Code; or

12 “(cc) is employed in a posi-  
13 tion in the executive branch of  
14 the Government of a confidential  
15 or policy-determining character  
16 under schedule C of subpart C of  
17 part 213 of title 5 of the Code of  
18 Federal Regulations.”; and

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

20 “(iii) GOVERNMENT CONTRIBUTION.—  
21 No Government contribution under section  
22 8906 of title 5, United States Code, shall  
23 be provided on behalf of an individual who  
24 is a Member of Congress, a congressional  
25 staff member, the President, the Vice

1 President, or a political appointees for cov-  
2 erage under this paragraph.

3 “(iv) LIMITATION ON AMOUNT OF TAX  
4 CREDIT OR COST-SHARING.—An individual  
5 enrolling in health insurance coverage pur-  
6 suant to this paragraph shall not be eligi-  
7 ble to receive a tax credit under section  
8 36B of the Internal Revenue Code of 1986  
9 or reduced cost sharing under section 1402  
10 of this Act in an amount that exceeds the  
11 total amount for which a similarly situated  
12 individual (who is not so enrolled) would be  
13 entitled to receive under such sections.

14 “(v) LIMITATION ON DISCRETION FOR  
15 DESIGNATION OF STAFF.—Notwith-  
16 standing any other provision of law, a  
17 Member of Congress shall not have discre-  
18 tion in determinations with respect to  
19 which employees employed by the office of  
20 such Member are eligible to enroll for cov-  
21 erage through an Exchange.”.