

113TH CONGRESS  
1ST SESSION

# S. 1497

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

SEPTEMBER 12, 2013

Mr. VITTER (for himself, Mr. ENZI, Mr. HELLER, Mr. LEE, Mr. JOHNSON of Wisconsin, and Mr. INHOFE) 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

(B) by adding at the end the following:

“(III) POLITICAL APPOINTEE.—

In this subparagraph, the term ‘political appointee’ means any individual who—

“(aa) is employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

“(bb) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

“(cc) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.”; and

(4) by adding at the end the following:

“(iii) GOVERNMENT CONTRIBUTION.—

No Government contribution under section 8906 of title 5, United States Code, shall be provided on behalf of an individual who is a Member of Congress, a congressional staff member, the President, the Vice President, or a political appointee for coverage under this paragraph.

“(iv) LIMITATION ON AMOUNT OF TAX

CREDIT OR COST-SHARING.—An individual enrolling in health insurance coverage pursuant to this paragraph shall not be eligible to receive a tax credit under section 36B of the Internal Revenue Code of 1986 or reduced cost sharing under section 1402 of this Act in an amount that exceeds the total amount for which a similarly situated individual (who is not so enrolled) would be entitled to receive under such sections.

“(v) LIMITATION ON DISCRETION FOR

DESIGNATION OF STAFF.—Notwithstanding any other provision of law, a Member of Congress shall not have discretion in terminations with respect to which employ-

1           ees employed by the office of such Member  
2           are eligible to enroll for coverage through  
3           an Exchange.”.

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