

THE CITY OF CARPINTERIA'S 50TH ANNIVERSARY

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise to commemorate the 50th anniversary of the city of Carpinteria.

Incorporated on September 28, 1965, the city of Carpinteria is home to over 13,000 residents on the central coast of California. It is known as one of America's finest small towns, and Carpinteria has also been recognized as one of the American cities with the highest quality of life.

The city of Carpinteria is a leader in environmental stewardship, working to protect California's precious coastline. In fact, Carpinteria City Beach has been recognized as the world's safest beach. Their local economy has thrived with its vibrant cultural history, and this unique agricultural region is home to California's famed avocado festival.

I am proud to honor the city of Carpinteria on their 50th anniversary. It is a key treasure on the central coast.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 25, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 25, 2015 at 5:12 p.m.:

That the Senate passed S. 2082.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 3 o'clock p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings

today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

PROTECTING AFFORDABLE COVERAGE FOR EMPLOYEES ACT

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1624) to amend title I of the Patient Protection and Affordable Care Act and title XXVII of the Public Health Service Act to revise the definition of small employer, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1624

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 "Protecting Affordable Coverage for Employees Act".

SEC. 2. REVISION OF DEFINITION OF SMALL EMPLOYER UNDER HEALTH INSURANCE MARKET PROVISIONS.

(a) PPACA AMENDMENTS.—Section 1304(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 18024(b)) is amended—

(1) in paragraph (1), by striking "101" and inserting "51";

(2) in paragraph (2), by striking "100" and inserting "50"; and

(3) by amending paragraph (3) to read as follows:

"(3) STATE OPTION TO EXTEND DEFINITION OF SMALL EMPLOYER.—Notwithstanding paragraphs (1) and (2), nothing in this section shall prevent a State from applying this subsection by treating as a small employer, with respect to a calendar year and a plan year, an employer who employed an average of at least 1 but not more than 100 employees on business days during the preceding calendar year and who employs at least 1 employee on the first day of the plan year."

(b) PHSA AMENDMENTS.—Section 2791(e) of the Public Health Service Act (42 U.S.C. 300gg-91(e)) is amended—

(1) in paragraph (2), by striking "101" and inserting "51";

(2) in paragraph (4), by striking "100" and inserting "50"; and

(3) by adding at the end the following new paragraph:

"(7) STATE OPTION TO EXTEND DEFINITION OF SMALL EMPLOYER.—Notwithstanding paragraphs (2) and (4), nothing in this section shall prevent a State from applying this subsection by treating as a small employer, with respect to a calendar year and a plan year, an employer who employed an average of at least 1 but not more than 100 employees on business days during the preceding calendar year and who employs at least 1 employee on the first day of the plan year."

(c) DEPOSIT OF SAVINGS INTO MEDICARE IMPROVEMENT FUND.—Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking "\$0" and inserting "\$205,000,000".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from California (Mr. Cárdenas) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 1624.

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

There was no objection.

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

The bipartisan bill before us today is a much-needed fix for small-business owners and employees struggling to comply with the healthcare law. H.R. 1624 is a bill to amend the Patient Protection and Affordable Care Act and the Public Health Service Act to revise the definition of small employer. The bill would allow the States to continue defining the small group health insurance market as employers with 1 to 50 employees.

Section 1304 of the Patient Protection and Affordable Care Act changed the Federal definition of the small group market to include employers with 1 to 100 employees. The States, however, have been allowed to continue defining the small group market as employers with 1 to 50 employees until January 1, 2016.

But beginning on or after January 1, 2016, plans sold or renewed for employers with 51 to 100 employees will be subject to the various small group health plan regulations established by PPACA. These more restrictive rating rules will increase health insurance premiums for these employers and reduce flexibility in benefit design.

The new requirements could also lead some employers with 51 to 100 employees to self-insure to avoid higher premiums. If that happens, this could result in adverse selection in the small group pool and higher premiums for employers with 1 to 50 employees.

Unless this current law is reversed, the disruption in the marketplace will be significant. For example, it is estimated that, under current law, more than 3 million employees will experience a double-digit percent increase in their healthcare premiums.

Ultimately, cost increases for small employers will change their choices regarding offering coverage, could change their business model, and will ultimately be felt by millions of workers.

Because the impact of current law will vary by State, defining the small group market should be left to the States, which is a policy envisioned in H.R. 1624.

I am pleased to say there is considerable support for this legislation in the House and the Senate.

The flexibility that would be given to States with immediate passage of H.R. 1624 would help ensure stable, small group health insurance markets that reflect the unique characteristics in each of the States.

If Congress passes H.R. 1624, premiums will be lower and allow millions of employees and employers to keep the plan they have and like. This is a

commonsense policy that deserves our bipartisan support.

I urge my colleagues to vote in favor of H.R. 1624.

I reserve the balance of my time.

Mr. CÁRDENAS. Mr. Speaker, at this point, I reserve the balance of my time so that Congressman GUTHRIE can speak first.

Mr. PITTS. Mr. Speaker, I yield 3 minutes to the gentleman from Kentucky (Mr. GUTHRIE), the vice chair of the Health Subcommittee on Energy and Commerce.

Mr. GUTHRIE. Mr. Speaker, I am pleased to be here.

I rise in support of H.R. 1624, the Protecting Affordable Coverage for Employees Act. This bill, which I introduced along with my friend from California (Mr. CÁRDENAS), Congressman MARKWAYNE MULLIN of Oklahoma, and KYRSTEN SINEMA of Arizona will protect smaller employers from increased healthcare costs and will prevent their employees from being forced out of their current healthcare plans.

The small group market is currently defined as 1 to 50 employees, but a provision in the healthcare law will expand the group's size from 1 to 100 on January 1. With this expansion comes more onerous regulations and the expectation of dramatic rate hikes.

One estimate by Oliver Wyman predicts that those in the 51 to 100 group will see an average of an 18 percent premium increase in 2016 based on the new rating rules alone. H.R. 1624 stops the mandated expansion of the small group market that will occur on January 1 and allows States to define their own market.

Mr. Speaker, I have heard from many Kentuckians who would be impacted by this change, and their concerns are real. Small businesses are afraid to expand, and mid-sized businesses have no idea what the costs would be or how they can plan for this new change.

This issue has widespread support, with over half the House as cosponsors and nearly a third of the Senate as cosponsors. Members on both sides of the aisle agree that we must act now to stop this new mandate.

It has been a great pleasure working with the gentleman from California (Mr. CÁRDENAS). It is an issue that we see is happening in Washington, that is happening out in our districts, out across to the businesses.

Both sides of the aisle have come together to say: Let's change the law. Let's make sure that the small businesses and medium-sized businesses are not affected, and let's move forward.

It wasn't just that we signed our names as cosponsors. There was a lot of hard work that I know the gentleman from California (Mr. CÁRDENAS) did to bring more and more cosponsors to this bill. This is a significant change. It is significant for the people who live in our districts. I encourage support.

I appreciate Mr. CÁRDENAS, Ms. SINEMA, and Mr. MULLIN.

Mr. CÁRDENAS. I yield myself such time as I may consume.

Mr. Speaker, I would like to first thank my colleague from Kentucky (Mr. GUTHRIE). It has been a pleasure and honor to serve with him on this bill.

It is really important for us to understand how monumental this moment is. This isn't the biggest bill in the world. But, yet, at the same time, if you are a small business in the United States of America and you have 1 to 50 employees or now even 1 to 100 employees, this bill hopefully will help affect your business and your employees in a way that is better.

I rise in support of H.R. 1624. I truly appreciate the willingness to work on a bipartisan bill, as demonstrated today, which is going to positively impact so many communities across the country through the small businesses it will affect.

H.R. 1624, the Protecting Affordable Coverage for Employees Act, introduced by my colleagues, once again, Mr. GUTHRIE, Mr. MULLIN, Ms. SINEMA, and myself—two Republicans and two Democrats—is a true bipartisan effort—would stop a potential health insurance rate shock by allowing States to determine the appropriate size of their small group market.

As a former small-business owner myself, I recognize the struggle there is to live out the American Dream. I know how difficult it can be when a specific sector of small business is affected by regulations and laws created by local, State, or Federal governments.

I have seen the impact in neighborhoods throughout my district when a small local business opens their doors or closes their doors. Their supply chain is local. Their employees have a vested interest in their success. Their customers treasure the connection a small hometown business brings.

I know I echo the view of the entire U.S. House of Representatives when I applaud these small businesses, the risks that they have taken, and the celebration of their successes.

The Affordable Care Act isn't perfect. By no means is the Affordable Care Act perfect. But I am grateful for all the benefits that the law has provided since its enactment.

Today more than 16 million Americans have gained access to affordable health insurance that did not have it before enacting the act. My district is one of only two districts in the United States to see a double-digit increase in insured residents since the implementation of the Affordable Care Act.

The Affordable Care Act is the biggest change to American health care in the past 70 years. It brings down costs, covering more Americans and making dozens of other crucial changes to how our Nation views health care. However, no law is perfect.

When it was first created, Social Security didn't cover agricultural and domestic workers. Medicaid didn't begin to cover mammograms until 1991. Even with these fundamental programs of

our Nation's safety net, improvement and compromise was necessary to lead to more perfect laws.

While certain States, like California, have decided to move forward with the expansion, this bill still provides States the flexibility to ensure market stability for small businesses across the country.

I appreciate the bipartisan effort to bring this bill to the floor. I look forward to advancing the PACE Act and continuing to build on a record of working together in a bipartisan fashion.

I was just sharing a moment with my colleague from Kentucky, Congressman GUTHRIE, in talking about how proud I am of this moment and how much I appreciate his willingness to reach across the aisle and work with us to make sure that we bring a fix—not the biggest fix, but a fix—that will help American businesses and American workers across this country.

It is an opportunity for us to work together. But, more importantly, it is an opportunity for us to do the job that we were elected to do: to put aside partisan bickering, to make sure that we look at what is best for America, try our best to bring a bill to the floor through both houses, and, hopefully, get the signature of the President of the United States.

Again, it was due to this bipartisan effort that I think that what I just described is going to happen. Come January of 2016, it is going to be a better place for all of us—for our businesses and our workers—because we were willing to work together.

Once again, it is not the easiest thing to do, but it is something that, unfortunately, is far too rare. I hope that this is the beginning, the beginning of many of us working together and making good things happen for America and its Territories.

I urge my colleagues to vote for H.R. 1624.

I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, this is a good bill. It is an important bill. It is a bipartisan bill. I urge my colleagues to vote in favor of H.R. 1624.

I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, since the passage of the Affordable Care Act, 17.6 million Americans have gained health insurance coverage and are no longer one accident, injury, or diagnosis away from financial ruin. This is the largest reduction in the uninsured in four decades.

The ACA has increased access and reduced financial barriers to important preventive services, such as cancer screenings and well-woman visits by requiring their coverage with no cost sharing. The law also stopped insurers from discriminating based on pre-existing conditions or placing annual limits on how much health care they will cover.

Though the ACA is already helping millions nationwide, no law is perfect, and there are certainly ways we can improve the ACA and build upon its successes. Given the political theatre that tends to surround the ACA, I am pleased to see that my Republican colleagues

are ready to work together on bipartisan proposals such as H.R. 1624 with the goal of strengthening the law. Unfortunately, though, I do not agree with the approach this bill takes.

H.R. 1624 would permanently change the law to make the small group expansion currently required under the ACA optional for states and allow states to “opt in” if they choose. Research tells us that some states simply are not ready to expand their small group market and that expansion in these states could result in higher costs for certain consumers. However, the small group expansion was included in the ACA for good reason. The benefits of expansion such as added consumer protections and increased stability for small employers are important and achievable goals. States like Washington are already experiencing the benefits of an expanded small group market.

I am concerned that H.R. 1624 is premature, and I would instead prefer a few year transitional delay of the small group expansion or an “opt out” option for states instead. I believe these alternatives would ensure that states continue to work towards the goal of expansion, rather than disregarding the provision altogether.

Mr. Speaker, I am also disappointed that this bill was not considered under regular order. Such an important issue deserves thoughtful discussion and opportunities for amendments. I had hoped to offer an amendment that would allow states to “opt out” of the expansion. Since I was unable to discuss this amendment and other potential changes to the bill with my colleagues in a committee markup, I remain uncertain that this legislation is the best course of action.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 1624, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1515

GOLD STAR FATHERS ACT OF 2015

Mr. WALBERG. Mr. Speaker, I move to suspend the rules and pass the bill (S. 136) to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 136

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 “Gold Star Fathers Act of 2015”.

SEC. 2. PREFERENCE ELIGIBLE TREATMENT FOR FATHERS OF CERTAIN PERMANENTLY DISABLED OR DECEASED VETERANS.

Section 2108(3) of title 5, United States Code, is amended by striking subparagraphs (F) and (G) and inserting the following:

“(F) the parent of an individual who lost his or her life under honorable conditions while serving in the armed forces during a period named by paragraph (1)(A) of this section, if—

“(i) the spouse of that parent is totally and permanently disabled; or

“(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse;

“(G) the parent of a service-connected permanently and totally disabled veteran, if—

“(i) the spouse of that parent is totally and permanently disabled; or

“(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse; and”.

SEC. 3. EFFECTIVE DATE.

The amendment made by this Act shall take effect 90 days after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. WALBERG) and the gentleman from Massachusetts (Mr. LYNCH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today in support of S. 136, the Gold Star Fathers Act of 2015. This important piece of legislation supports fathers of permanently disabled or deceased veterans in their search for employment with the Federal Government.

Mr. Speaker, under current law, mothers of certain permanently disabled or deceased veterans receive preference in hiring for civil service positions in recognition of their sacrifice. That preference applies when the mother is widowed, divorced, or separated, or if their husband is totally or permanently disabled.

The Gold Star Fathers Act of 2015 extends this same benefit to fathers. The bill also grants preference in hiring to parents who never married along with those that are widowed, divorced, or legally separated.

I thank Senators WYDEN, BROWN, and COLLINS for their work over several Congresses on this important issue, and Congresswoman ESTY for sponsoring the House companion bill.

Mr. Speaker, we owe a debt of gratitude to our veterans and to the mothers and fathers of our veterans. I urge my colleagues to support this bipartisan legislation.

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

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

Mr. Speaker, I rise in strong support of S. 136, the Gold Star Fathers Act of 2015, bipartisan legislation introduced

by my colleague, Senator RON WYDEN of Oregon, last January and cosponsored by Senators SHERROD BROWN of Rhode Island and SUSAN COLLINS of Maine. This bill passed the United States Senate by unanimous consent in May of this year and was favorably reported out of the House Oversight and Government Reform Committee in July.

This legislation also has bipartisan support in the House in the form of identical legislation, H.R. 1222, introduced by my colleague, Representative ELIZABETH ESTY, of Connecticut.

In appreciation of the sacrifices that Gold Star families have made on behalf of our grateful Nation, the Gold Star Fathers Act would extend the 10-point hiring preference for Federal civilian jobs to the fathers of servicemembers who have been permanently disabled or who lost their lives while serving on Active Duty. This would be identical to the Federal hiring preference that has been available to our Gold Star Mothers since 1948.

Mr. Speaker, this legislation is reflective of the immense gratitude that we hold as a nation for the parents of our fallen and disabled heroes. It also recognizes the profound sacrifice that our Gold Star families continue to endure every day. It is a burden that is shouldered by the very few on behalf of the entire Nation.

Back in South Boston, my mother-in-law, Helen Shaughnessy, originally Helen Bailey, is a Gold Star sister. She lost her brother, Arnie Bailey, in April of 1944 on his first jump over the Rhine close to the end of the Second World War in Europe. I know that their family continues to carry that pain and that burden each and every day.

I urge my colleagues on both sides of the aisle to support Ms. ESTY in her efforts, along with Senator WYDEN and others in the Senate, to support S. 136.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Connecticut (Ms. ESTY). I would like to introduce and welcome her remarks. She is the lead sponsor of this bill in the House and has been a true champion on behalf of veterans all over this country.

Ms. ESTY. Mr. Speaker, I rise today in support of S. 136, the Senate companion to my bill in the House, the Gold Star Fathers Act of 2015.

I want to thank Chairman CHAFFETZ and Ranking Member CUMMINGS for their support of our Gold Star families and for prioritizing this bipartisan bill that would bring equity to the treatment of all Gold Star families, and I want to thank my friends Mr. WALBERG and Mr. LYNCH for their support today.

Mr. Speaker, on Memorial Day last year, I met with Gold Star families in Waterbury, Connecticut, and I heard the stories of how deeply they feel the loss of their loved ones, whether that loss was a year ago, 20 years ago, or 40 years ago. I heard from mothers and I heard from fathers about the difficulty of continuing on without a member of their family that they held so dear.