

AMENDMENT TO SENATE AMENDMENT TO H. J.

RES. 59

OFFERED BY MR. DESANTIS OF FLORIDA

In the matter proposed to be inserted by the Senate amendment, at the end (before the short title), insert the following:

1 SEC. _____. Section 1312(d)(3)(D) of the Patient
2 Protection and Affordable Care Act (42 U.S.C.
3 18032(d)(3)(D)) is amended—

4 (1) by striking the subparagraph heading and
5 inserting the following:

6 “(D) MEMBERS OF CONGRESS, CONGRES-
7 SIONAL STAFF, AND POLITICAL APPOINTEES IN
8 THE EXCHANGE.—”;

9 (2) in clause (i), in the matter preceding sub-
10 clause (I)—

11 (A) by striking “and congressional staff
12 with” and inserting “, congressional staff, the
13 President, the Vice President, and political ap-
14 pointees with”; and

15 (B) by striking “or congressional staff
16 shall” and inserting “, congressional staff, the

1 President, the Vice President, or a political ap-
2 pointee shall”;

3 (3) in clause (ii)—

4 (A) in subclause (II), by inserting after
5 “Congress,” the following: “of a committee of
6 Congress, or of a leadership office of Con-
7 gress,”; and

8 (B) by adding at the end the following:

9 “(III) POLITICAL APPOINTEE.—

10 The term ‘political appointee’ means
11 any individual who—

12 “(aa) is employed in a posi-
13 tion described under sections
14 5312 through 5316 of title 5,
15 United States Code, (relating to
16 the Executive Schedule);

17 “(bb) is a limited term ap-
18 pointee, limited emergency ap-
19 pointee, or noncareer appointee
20 in the Senior Executive Service,
21 as defined under paragraphs (5),
22 (6), and (7), respectively, of sec-
23 tion 3132(a) of title 5, United
24 States Code; or

1 “(cc) is employed in a posi-
2 tion in the executive branch of
3 the Government of a confidential
4 or policy-determining character
5 under schedule C of subpart C of
6 part 213 of title 5 of the Code of
7 Federal Regulations.”; and

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

9 “(iii) GOVERNMENT CONTRIBUTION.—
10 No Government contribution under section
11 8906 of title 5, United States Code, shall
12 be provided on behalf of an individual who
13 is a Member of Congress, a congressional
14 staff member, the President, the Vic-Presi-
15 dent, or a political appointees for coverage
16 under this paragraph.

17 “(iv) LIMITATION ON AMOUNT OF TAX
18 CREDIT OR COST-SHARING.—An individual
19 enrolling in health insurance coverage pur-
20 suant to this paragraph shall not be eligi-
21 ble to receive a tax credit under section
22 36B of the Internal Revenue Code of 1986
23 or reduced cost sharing under section 1402
24 of this Act in an amount that exceeds the
25 total amount for which a similarly situated

1 individual (who is not so enrolled) would be
2 entitled to receive under such sections.

3 “(v) LIMITATION ON DISCRETION FOR
4 DESIGNATION OF STAFF.—Notwith-
5 standing any other provision of law, a
6 Member of Congress shall not have discre-
7 tion in determinations with respect to
8 which employees employed by the office of
9 such Member are eligible to enroll for cov-
10 erage through an Exchange.”

