AMENDMENT TO THE SENATE AMENDMENT TO
H.J. RES. 59
OFFERED BY MR. ROSS OF FLORIDA

Insert at the appropriate place the following:

SEC. ___. HEALTH INSURANCE COVERAGE FOR CERTAIN
CONGRESSIONAL STAFF AND MEMBERS OF
THE EXECUTIVE BRANCH.

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

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

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

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

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

(B) by striking “or congressional staff
shall” and inserting “, congressional staff, the
President, the Vice President, or a political appointee shall’’;

(3) in clause (ii)—

(A) in subclause (II), by inserting after “Congress,” the following: “of a committee of Congress, or of a leadership office of Congress,”; and

(B) by adding at the end the following:

“(III) POLITICAL APPointee.—

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 determinations with respect to which employees employed by the office of such Member are eligible to enroll for coverage through an Exchange.”.