



TEST YOUR KNOWLEDGE

CONGRESS'S SPECIAL EXEMPTION FROM OBAMACARE

The Patient Protection and Affordable Care Act – also known as “ObamaCare” or the ACA – explicitly requires Members of Congress and their staff to give up their generous health benefits and instead purchase health plans through the new health insurance exchanges, without special subsidies, so they can experience the law just as millions of other Americans now are having to do.ⁱ

This provision could cost a Member of Congress and their staffers each about \$5,000 a year for an individual or \$11,000 a year for a family in health insurance premiums.ⁱⁱ

1) Is Congress abiding by the law as written?

- A. Yes
- B. No

Answer: B – No. Just before the August recess last summer, President Obama’s Office of Personnel Management decided the federal government would continue to contribute up to 75 percent of the costs of premiums tax free for Members and their staff who buy health insurance policies on the exchanges.ⁱⁱⁱ

A 2013 national survey of 500 likely voters nationwide showed near unanimity in opposing Congress's special ObamaCare exemption: 92 percent of those surveyed do not think it is right that Congress and their staffers should be exempt from the costs of Obamacare, and 94 percent think Congress should have to abide by the same law they passed for the rest of the country.^{iv}

2) If private citizens purchase insurance on the ObamaCare exchanges, can they receive a tax-free subsidy from their employers to help offset the cost of premiums?

- A. Yes
- B. No

Answer: B – No. Unlike, Senators, Members of the House, and their staffers, private citizens purchasing insurance on the ObamaCare health exchanges are not allowed to receive an employer contribution toward their premiums without that being treated, and taxed, as extra income. And Congress wasn’t supposed to, either.^v

3) Are Senators and Members required to take this extra-legal gift from the President – paid for by us taxpayers?

- A. No
- B. Yes

Answer: A – No, Senators and Members are not required to take this benefit. A few have declined the subsidy and are paying premiums on their own. Most, unfortunately, are taking the subsidy or finding ways to exempt their staff from ObamaCare.

4) Were there any efforts made to undo this generous benefit that President Obama gave to Members of Congress and their staffs?

A. No, nothing was attempted

B. Yes, there were efforts in both the House and Senate

Answer: B – Yes. Senator David Vitter tried to get cosponsors for his Amendment to undo the special exemption. In the House, Rep. Ron DeSantis offered a bill, but it has yet to be brought to the floor for an up or down vote, perhaps because it would force Members to declare for their constituents where they really were on this issue.

QUIZ FOR MISSISSIPPI PRIMARY ELECTION

On Tuesday, June 24th, voters in Mississippi will take part in a primary election, which is a run-off between the incumbent Senator Thad Cochran and challenger Chris McDaniel. Voters should make sure they know where the two candidates stand on important issues like ObamaCare and whether Congress should be required to follow the letter of the law and live under the same rules as other Americans.

1) Did Senator Cochran join Senator Vitter in moving to undo the special congressional exemption?

a. Yes

b. No

Answer: B – No, Senator Cochran had his chance, but chose not to be a co-signer of Senator Vitter's proposal.^{vi}

2) Has Senator Cochran chosen to take the special Congressional exemption and taxpayer subsidy for himself and his staff?

a. No, he wouldn't do such a thing

b. Yup, he sure did.

Answer: B – Yup, he sure did.^{vii}

3) What is the position of challenger Chris McDaniel on the special exemption?

a. He has not taken one

b. He states he opposes it and will do everything he can to see it undone

Answer: B – Chris McDaniel has promised to make sure Congress follows the rules like all other Americans.

4) Related to the question of the special exemption is whether ObamaCare should be repealed and replaced: Both candidates were asked to sign The Repeal Pledge, which attests to the seriousness of their commitment to repealing ObamaCare. Who do you think did?

a) Both candidates did

- b) Only Senator Cochran did
- c) Only Chris McDaniel did

Answer: C – Only Chris McDaniel has signed the Repeal Pledge.

If you don't think this special exemption for Congress is fair, if you believe that there should be equal treatment for all, next Tuesday, June 24th, is your chance to send a message, loud and clear, to *all* of Washington.

If you believe it is wrong for Congress to get a special exemption from ObamaCare, and you are a Mississippi resident, then you should vote for Chris McDaniel, who has pledged that, if elected, he will do everything he can to undo the special exemption.

If you think there should be no Washington Exemption, and that if the rules are good enough for us they should be good enough for Washington, please share this with your friends.

Endnotes

ⁱ Section 1312(d)(3)(D) of the Affordable Care Act provides in relevant part that “[n]otwithstanding any other provision of law ... the only health plans that the Federal Government may make available to Members of Congress” and certain congressional staff are those offered through an Exchange or provided under the Affordable Care Act. See: <https://www.opm.gov/retirement-services/publications-forms/benefits-administration-letters/2013/13-204attachment2.pdf>.

ⁱⁱ Robert Pear, “Wrinkle in Health Law Vexes Lawmakers’ Aides,” *New York Times*, July 29, 2013. Available at: http://www.nytimes.com/2013/07/30/us/politics/wrinkle-in-health-law-vexes-lawmakers-aides.html?pagewanted=1&_r=0.

ⁱⁱⁱ See <https://www.opm.gov/retirement-services/publications-forms/benefits-administration-letters/2013/13-204attachment2.pdf>.

^{iv} Heather Higgins and William Pascoe, “The Canary in the Coal Mine,” *The Weekly Standard*, September 23, 2013. Available at: http://www.weeklystandard.com/blogs/canary-coal-mine_756591.html.

^v The Office of Personnel Management declared that Members of Congress and their staffs could get their health insurance through the SHOP exchange, created to help small businesses get coverage for their workers and to allow employers to make contributions toward premiums. This was a contrived work around since the United States Congress is definitely not a small business.

^{vi} For a list of Senators cosponsoring the Vitter effort, see <http://www.vitter.senate.gov/citizen-cosponsor>.

^{vii} Ed O'Keefe, “What Every Member of Congress Is Doing About His/Her Healthcare, in 1 Chart,” *Washington Post*, December 9, 2013. Available at: <http://www.washingtonpost.com/blogs/the-fix/wp/2013/12/09/whats-congress-doing-about-its-own-health-care/>.