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Grassley re-introduces bill to apply health care reforms
to White House and administration leaders, and equitably in Congress

WASHINGTON – Senator Chuck Grassley today renewed his effort to apply the health care reform law to the President, Vice President, cabinet members, top White House staff, and the congressional staff who worked for passage of the massive overhaul enacted in March 2010.

Previous legislative initiatives by Grassley to establish accountability in Congress and the administration were rebuffed, both in 2009 and 2010, by the Democratic Majority Leader in the Senate. “As a result, the health care reforms driven by President Obama and Senator Reid do not apply to President Obama and top administration officials or to the powerful congressional leadership staff who helped to make the overhaul the law of the land,” Grassley said. “The message to grassroots America is that health care reform is good enough for you, but not for us.”

Grassley said that now that a new Congress has started, Senate leaders have another chance to make things right and should act immediately to pass his Health Reform Accountability Act. “Until the health care overhaul is repealed and replaced with reforms that have broad-based support, the majority leadership in the Senate and the administration ought to make sure they are required to live under the health care law they put on the books.”

Grassley started his accountability effort in September 2009, when the Finance Committee, where he served as Ranking Member, was acting on its reform proposal. Committee members approved a Grassley amendment to have members of Congress and all congressional staff obtain their health insurance through the same health insurance exchanges where health plans for the general public would be available. After the bill left committee and during the closed-door reworking of the legislation in the Senate Majority Leader’s office, Senate committee and leadership staffs were exempted from the requirement.

In December 2010, when the carve-out was discovered, Grassley and Senator Tom Coburn offered an amendment to restore the requirement for all congressional staff and also to statutorily require the President, the Vice President, top White House staff and cabinet members to get their health insurance through the newly created exchanges. The amendment did not apply to federal employees in the civil service. The Grassley-Coburn amendment was never brought up for a vote. The legislative fix also was not included in the final manager’s amendment, controlled by the Senate Majority Leader, on Christmas Eve, when the Senate passed the legislation that ultimately became law. Grassley made another attempt to have the special carve-out removed during Senate consideration of the health-care reconciliation bill in March 2010. Again, he was rebuffed. Grassley filed the same free-standing legislation introduced today immediately following final passage, but it has never been brought up by the Senate Majority Leader, who controls the calendar and Senate business.

Grassley said the motivation for his initiative is simple: public officials who make the laws or lead efforts to have laws changed should live under those laws. “It’s the same principle that motivated

me to pursue legislation over 20 years ago to apply civil rights, labor and employment laws to Congress,” Grassley said.

That previous Grassley crusade met success in 1995, when President Clinton signed into law Grassley’s Congressional Accountability Act. Before then, Congress had routinely exempted itself from major laws, including the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, Title VII of the Civil Rights Act of 1964, the Employee Polygraph Protection Act of 1988, the Fair Labor Standards Act of 1938, the Family and Medical Leave Act of 1993, the Federal Service Labor-Management Relations Statute, the Occupational Safety and Health Act of 1970, the Rehabilitation Act of 1973, the Veteran’s Employment and Reemployment Rights at Chapter 43 of Title 38 of the U.S. Code, and the Worker Adjustment and Retraining Notification Act of 1989. All 12 of those laws now apply to Congress, thanks to Grassley’s reform legislation.

Today, Grassley also is working to make sure Congress lives up to the same standards it imposes on others with legislation such as his Congressional Whistleblower Protection Act.

As far as the health care law, as it stands today, because of the amendment Grassley included in the Finance Committee bill, at least members of Congress and their personal office staffs will be required to obtain their health insurance coverage through the newly created health care exchanges, when the law takes full effect in 2014, instead of the Federal Employees Health Benefit Program.

In March 2010, the White House announced that the President planned to participate in the health insurance exchanges in 2014. Grassley said at the time that the move effectively endorsed his legislation. “I appreciate it, but the principle of living under the law shouldn’t be voluntary for political leaders.”

The companion bill to the legislation filed today by Grassley was introduced last week in the House of Representatives by Representative Michael Burgess of Texas. It’s H.R.360.