

113TH CONGRESS
1ST SESSION

H. R. 37

To repeal portions of the Patient Protection and Affordable Care Act, to reduce Federal Government spending and to reduce the salaries of Members of Congress, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2013

Mr. BARROW introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Rules, House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To repeal portions of the Patient Protection and Affordable Care Act, to reduce Federal Government spending and to reduce the salaries of Members of Congress, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Business and Government Operations Improvement
6 Act”.

1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

Sec. 1. Short title; Table of contents.

TITLE I—HEALTH CARE PROVISIONS

Sec. 101. Repeal of employer health insurance mandate.

Sec. 102. Repeal of individual health insurance mandate.

Sec. 103. Repeal of the independent payment advisory board.

TITLE II—SAVINGS AND SPENDING CUTS

Sec. 201. Streamline Government Bureaucracy.

Sec. 202. Congressional approval for certain obligations exceeding
 \$100,000,000.

Sec. 203. Prohibition against funding certain foreign programs, projects, and
 activities.

Sec. 204. Reduction of the number of nonessential vehicles purchased and
 leased by the Federal Government.

TITLE III—CONGRESSIONAL PAY CUT

Sec. 301. Reduction in rates of basic pay for Members of Congress.

3 **TITLE I—HEALTH CARE** 4 **PROVISIONS**

5 **SEC. 101. REPEAL OF EMPLOYER HEALTH INSURANCE MAN-** 6 **DATE.**

7 (a) IN GENERAL.—Chapter 43 of the Internal Rev-
 8 enue Code of 1986 is amended by striking section 4980H.

9 (b) REPEAL OF RELATED REPORTING REQUIRE-
 10 MENTS.—Subpart D of part III of subchapter A of chap-
 11 ter 61 of such Code is amended by striking section 6056.

12 (c) CONFORMING AMENDMENTS.—

13 (1) Subparagraph (B) of section 6724(d)(1) of
 14 such Code is amended by inserting “or” at the end
 15 of clause (xxiii), by striking “and” at the end of

1 clause (xxiv) and inserting “or”, and by striking
2 clause (xxv).

3 (2) Paragraph (2) of section 6724(d) of such
4 Code is amended by inserting “or” at the end of
5 subparagraph (FF), by striking “, or” at the end of
6 subparagraph (GG) and inserting a period, and by
7 striking subparagraph (HH).

8 (3) The table of sections for chapter 43 of such
9 Code is amended by striking the item relating to sec-
10 tion 4980H.

11 (4) The table of sections for subpart D of part
12 III of subchapter A of chapter 61 of such Code is
13 amended by striking the item relating to section
14 6056.

15 (5) Section 1513 of the Patient Protection and
16 Affordable Care Act is amended by striking sub-
17 section (c).

18 (d) EFFECTIVE DATES.—

19 (1) IN GENERAL.—Except as otherwise pro-
20 vided in this subsection, the amendments made by
21 this section shall apply to months and other periods
22 beginning after December 31, 2013.

23 (2) REPEAL OF STUDY AND REPORT.—The
24 amendment made by subsection (c)(5) shall take ef-
25 fect on the date of the enactment of this Act.

1 **SEC. 102. REPEAL OF INDIVIDUAL HEALTH INSURANCE**
2 **MANDATE.**

3 Section 5000A of the Internal Revenue Code of 1986
4 is amended by adding at the end the following new sub-
5 section:

6 “(h) TERMINATION.—This section shall not apply
7 with respect to any month beginning after the date of the
8 enactment of this subsection.”.

9 **SEC. 103. REPEAL OF THE INDEPENDENT PAYMENT ADVI-**
10 **SORY BOARD.**

11 Effective as of the enactment of the Patient Protec-
12 tion and Affordable Care Act (Public Law 111–148), sec-
13 tions 3403 and 10320 of such Act (including the amend-
14 ments made by such sections, but excluding subsection (d)
15 of section 1899A of the Social Security Act, as added and
16 amended by such sections) are repealed, and any provision
17 of law amended by such sections is hereby restored as if
18 such sections had not been enacted into law.

19 **TITLE II—SAVINGS AND**
20 **SPENDING CUTS**

21 **SEC. 201. STREAMLINE GOVERNMENT BUREAUCRACY.**

22 (a) FINDINGS.—Congress finds the following:

23 (1) Partially as a result of unnecessary Federal
24 spending, the United States national debt is over
25 \$15 trillion.

1 (2) Bureaucratic complexity and redundancy
2 waste time and money for consumers, businesses,
3 and taxpayers.

4 (3) In March 2011, the Government Account-
5 ability Office released a report entitled “Opportuni-
6 ties to Reduce Potential Duplication in Government
7 Programs, Save Tax Dollars, and Enhance Rev-
8 enue” that identifies areas where greater efficiencies
9 could be found in Government operations. Some of
10 the findings include:

11 (A) Seven different Federal agencies have
12 programs dedicated to meeting the water needs
13 in the United States-Mexico border region.

14 (B) There are 82 Federal programs dedi-
15 cated to improving teacher quality.

16 (C) There are 56 programs in 20 different
17 Federal agencies designed to target financial
18 literacy.

19 (D) There are 80 Federal programs to
20 boost transportation opportunities for disadvan-
21 taged individuals.

22 (E) There are over 20 programs in seven
23 different Federal agencies working to combat
24 homelessness.

1 (4) The Department of Commerce’s core busi-
2 ness and trade functions, the Small Business Ad-
3 ministration, the Office of the United States Trade
4 Representative, the Export-Import Bank, the Over-
5 seas Private Investment Corporation, and the United
6 States Trade and Development Agency all serve im-
7 portant, but sometimes overlapping functions for
8 consumers and businesses in the United States. Con-
9 solidating these agencies could save \$3 billion and
10 eliminate over 1,000 duplicative Federal jobs while
11 improving the service provided to taxpayers and con-
12 sumers.

13 (5) The Federal Government provides impor-
14 tant services that can be improved while saving
15 money by consolidating and reforming Federal agen-
16 cies.

17 (b) CONSOLIDATION AUTHORITY.—

18 (1) EFFICIENCY-ENHANCING PLAN DEFINED.—
19 Section 902 of title 5, United States Code, is
20 amended—

21 (A) in paragraph (2), by striking “and”
22 after the semicolon;

23 (B) in paragraph (3), by striking the pe-
24 riod and inserting “; and”; and

25 (C) by adding at the end the following:

1 “(4) ‘efficiency-enhancing plan’ means a reorga-
2 nization plan that the Director of the Office of Man-
3 agement and Budget determines will result in, or is
4 likely to result in—

5 “(A) a decrease in the number of agencies;
6 and

7 “(B) cost savings in performing the func-
8 tions that are the subject of that plan.”.

9 (2) MODERNIZING REORGANIZATION AUTHOR-
10 ITY.—Section 905(a)(1) of title 5, United States
11 Code, is amended by striking the following: “or re-
12 naming an existing executive department, abolishing
13 or transferring an executive department or inde-
14 pendent regulatory agency, or all the functions
15 thereof, or consolidating two or more executive de-
16 partments or two or more independent regulatory
17 agencies, or all the functions thereof”.

18 (c) DURATION AND SCOPE OF AUTHORITY.—

19 (1) IN GENERAL.—Section 905(b) of title 5,
20 United States Code, is amended by striking “if the
21 plan” and all that follows and inserting the fol-
22 lowing: “if the plan is—

23 “(1) transmitted to Congress (in accordance
24 with section 903(b)) on or before the date that is 2
25 years after the date of the enactment of the Busi-

1 ness and Government Operations Improvement Act;
2 and

3 “(2) an efficiency-enhancing plan.”.

4 (2) EXERCISE OF RULEMAKING POWER.—Sec-
5 tion 908(1) of title 5, United States Code, is amend-
6 ed by striking “December 31, 1984” and inserting
7 “the date that is 2 years after the date of the enact-
8 ment of the Business and Government Operations
9 Improvement Act”.

10 **SEC. 202. CONGRESSIONAL APPROVAL FOR CERTAIN OBLI-**
11 **GATIONS EXCEEDING \$100,000,000.**

12 (a) APPROVAL REQUIREMENT.—No Federal depart-
13 ment or agency may enter into a contract with, award a
14 grant to, or guarantee a loan for, a private entity in excess
15 of \$100,000,000 for a fiscal year, unless the department
16 or agency submits to the Congress a request for approval
17 of such contract, grant, or guarantee, and such approval
18 is subsequently granted by enactment of a joint resolution.

19 (b) EXPEDITED CONSIDERATION.—A joint resolution
20 of approval under subsection (a) shall be considered in the
21 House of Representatives and the Senate not later than
22 30 days after the date of submission of a request under
23 such subsection, under expedited procedures.

1 (c) **EFFECTIVE DATE.**—This section shall take effect
2 on the date that is 180 days after the date of the enact-
3 ment of this Act.

4 **SEC. 203. PROHIBITION AGAINST FUNDING CERTAIN FOR-**
5 **EIGN PROGRAMS, PROJECTS, AND ACTIVI-**
6 **TIES.**

7 Section 103 of the Clean Air Act is amended by add-
8 ing at the end the following:

9 “(l) **PROHIBITION AGAINST FUNDING FOREIGN PRO-**
10 **GRAMS, PROJECTS, AND ACTIVITIES.**—The Administrator
11 shall not award any grant, contract, cooperative agree-
12 ment, or other financial assistance under this section for
13 any program, project, or activity to occur outside the
14 United States and its territories and possessions.”.

15 **SEC. 204. REDUCTION OF THE NUMBER OF NONESSENTIAL**
16 **VEHICLES PURCHASED AND LEASED BY THE**
17 **FEDERAL GOVERNMENT.**

18 (a) **REVIEW OF NONESSENTIAL VEHICLE PUR-**
19 **CHASE.**—The Director of the Office of Management and
20 Budget, in consultation with the head of the relevant Ex-
21 ecutive agency, shall complete each of the following:

22 (1) Determine the total dollar amount obligated
23 by each Executive agency to purchase civilian vehi-
24 cles in fiscal year 2010.

1 (2) Determine the total dollar amount obligated
2 by each Executive agency to lease civilian vehicles in
3 fiscal year 2010.

4 (3) Determine the total number of civilian vehi-
5 cles purchased by each Executive agency in fiscal
6 year 2010.

7 (4) Determine the total number of civilian vehi-
8 cles leased by each Executive agency in fiscal year
9 2010.

10 (5) Determine the total dollar amount that
11 would be 20 percent less than the dollar amount de-
12 termined under paragraphs (1) and (2) for each Ex-
13 ecutive agency.

14 (b) REDUCTION OF NONESSENTIAL VEHICLE PUR-
15 CHASE.—For each of fiscal years 2013 through 2017,
16 each Executive agency may not obligate more than the dol-
17 lar amount identified pursuant to subsection (a)(5) to pur-
18 chase and lease civilian vehicles.

19 (c) SHARING.—The Administrator of General Serv-
20 ices shall ensure that an Executive agency may share ex-
21 cess or unused vehicles with another Executive agency
22 that may need temporary or long-term use of additional
23 vehicles through the Federal Fleet Management System.

24 (d) NATIONAL SECURITY EXCEPTION.—The limits
25 on the purchase and procurement of vehicles provided in

1 this section shall not apply to the purchase or procurement
2 of any vehicle that has been determined by the President
3 to be essential for reasons of national security.

4 (e) DEFINITIONS.—In this section:

5 (1) CIVILIAN VEHICLE.—The term “civilian ve-
6 hicle” means a vehicle that is not used for purposes
7 of military combat, the training or deployment of
8 uniformed military personnel, or such other uses as
9 determined by the Director of the Office of Manage-
10 ment and Budget, in consultation with the Adminis-
11 trator of General Services.

12 (2) EXECUTIVE AGENCY.—The term “Executive
13 agency” has the meaning given that term under sec-
14 tion 105 of title 5, United States Code.

15 **TITLE III—CONGRESSIONAL PAY** 16 **CUT**

17 **SEC. 301. REDUCTION IN RATES OF BASIC PAY FOR MEM-** 18 **BERS OF CONGRESS.**

19 (a) IN GENERAL.—Effective with respect to pay peri-
20 ods beginning after the date of the regularly scheduled
21 general election for Federal office held in November 2014,
22 the rate of basic pay for each Member of Congress shall
23 be reduced by 5 percent, rounded to the nearest multiple
24 of \$100 (or, if midway between multiples of \$100, to the
25 next higher multiple of \$100).

1 (b) PREEMPTION.—The adjustment under subsection
2 (a) shall be in lieu of any adjustment which (but for this
3 Act) might otherwise take effect, in the rates of basic pay
4 for Members of Congress, with respect to the pay periods
5 referred to in subsection (a).

6 (c) DEFINITION.—For purposes of this Act, the term
7 “Member of Congress” means an individual serving in a
8 position under subparagraph (A), (B), or (C) of section
9 601(a) of the Legislative Reorganization Act of 1946 (2
10 U.S.C. 31).

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