SA 3580. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

Strike section 1403 and insert the following:

SECTION 1403. REPEAL OF LIMITATION ON HEALTH FLEXIBLE SPENDING ARRANGEMENTS UNDER CAFETERIA PLANS.

(a) IN GENERAL.—Sections 9005 and 10902 of the Patient Protection and Affordable Care Act are hereby repealed effective as of the date of the enactment of such Act and any provisions of law amended by such sections are amended to read as such provisions would read if such sections had never been enacted.

(b) EXPANSION OF AFFORDABILITY EXCEPTION TO INDIVIDUAL MANDATE.—Section 5000A(e)(1)(A) of the Internal Revenue Code of 1986, as added by section 1501(b) of the Patient Protection and Affordable Care Act and amended by section 10106 of such Act, is amended by striking ''8 percent'' and inserting ''5 percent''.

(c) APPLICATION OF PROVISION.—The amendment made by subsection (b) shall apply as if included in the Patient Protection and Affordable Care Act.

SA 3581. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle E of title I, insert the following:

SECTION —. REPEAL OF LIMITATION ON DEDUCTIONS FOR OVER-THE-COUNTER MEDICINE.

(a) IN GENERAL.—Section 9003 of the Patient Protection and Affordable Care Act is hereby repealed effective as of the date of the enactment of such Act and any provisions of law amended by such section is amended to read as such provision would read if such section had never been enacted.

(b) EXPANSION OF AFFORDABILITY EXCEPTION TO INDIVIDUAL MANDATE.—Section 5000A(e)(1)(A) of the Internal Revenue Code of 1986, as added by section 1501(b) of the Patient Protection and Affordable Care Act and amended by section 10106 of such Act, is amended by striking ''8 percent'' and inserting ''5 percent''.

(c) APPLICATION OF PROVISION.—The amendment made by subsection (b) shall apply as if included in the Patient Protection and Affordable Care Act.

SA 3582. Mr. BARRASSO (for himself, Mr. HATCH, and Mr. COBURN) proposed an amendment to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); as follows:

At the end of subtitle B of title II, insert the following:

SEC. 2___. AFFORDABLE PREMIUMS AND COVERAGE.

The implementation of the Patient Protection and Affordable Care Act (and the amendments made by such Act) shall be conditioned on the Secretary of Health and Human Services certifying to Congress that the implementation of such Act (and amendments) would not increase premiums more than the premium increases projected prior to the date of enactment of such Act.

SA 3583. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, insert the following:

SEC. 1006. ELIGIBILITY OF SELF-EMPLOYED FOR TRANSITIONAL SMALL BUSINESS TAX CREDIT.

(a) IN GENERAL.—Section 45R(g) of the Internal Revenue Code of 1986, as added by section 1421 of the Patient Protection and Affordable Care Act, is amended by adding at the end the following:

''(4) CREDIT ALLOWED FOR SELF-EMPLOYED.—

''(A) IN GENERAL.—Notwithstanding subsection (e)(1)(A)(i), the term 'employee' shall include an employee withing the meaning of section 401(c)(1).

''(B) PAYROLL TAXES.—For purposes of applying subsection (f) to an employee described in subparagraph (A), the term 'payroll taxes' includes the amount of taxes imposed on such employee under section 1401(b).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the Patient Protection and Affordable Care Act.

SA 3584. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of section 1003, insert the following:

(e) PREEMPTION OF STATE LAWS EXTENDING EMPLOYER MANDATE TO EMPLOYERS WITH FEWER THAN 50 EMPLOYEES.—Section 1321(d) of the Patient Protection and Affordable Care Act is amended to read as follows:

''(d) NO INTERFERENCE WITH STATE REGULATORY AUTHORITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this title shall be construed to preempt any State law that does not prevent the application of the provisions of this title.

''(2) EXCEPTION FOR SMALL EMPLOYER MANDATES.—The provisions of, and the amendments made by, this title shall preempt any State law enacted after the date of enactment of this Act that would impose a requirement on any employer with less than 50 full-time employees to, or would impose a penalty on such an employer for failing to, offer health insurance to its employees.''.

SA 3585. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, insert the following:

SEC. 1006. EXPANSION OF ENROLLMENT IN CATASTROPHIC PLANS TO ALL INDIVIDUALS.

(a) IN GENERAL.—Section 1302(e) of the Patient Protection and Affordable Care Act is amended to read as follows:

''(e) CATASTROPHIC PLAN.—

''(1) IN GENERAL.—A health plan not providing a bronze, silver, gold, or platinum level of coverage shall be treated as meeting the requirements of subsection (d) with respect to any plan year if the plan provides—

''(A) except as provided in subparagraph (B), the essential health benefits determined under subsection (b), except that the plan provides no benefits for any plan year until the individual has incurred cost-sharing expenses in an amount equal to the annual limitation in effect under subsection (c)(1) for the plan year (except as provided for in section 2713); and

''(B) coverage for at least three primary care visits.

''(2) RESTRICTION TO INDIVIDUAL MARKET.—If a health insurance issuer offers a health plan described in this subsection, the issuer may only offer the plan in the individual market.''.

(b) ELIGIBILITY FOR ENROLLMENT.—Section 1312(d)(3)(C) of such Act is amended to read as follows:

''(C) INDIVIDUALS ALLOWED TO ENROLL IN ANY PLAN.—A qualified individual may enroll in any qualified health plan.''.

(c) ELIGIBILITY FOR SUBSIDIES.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986, as added by section 1401 of such Act, is amended by striking '', except that such term shall not include a qualified health plan which is a catastrophic health plan described in section 1302(e) of such Act''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the Patient Protection and Affordable Care Act.

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following staff be allowed floor privileges during the considering of the pending bill: Randy Aussenberg, Aislinn Baker, Mary Baker, Scott Berkowitz, Brittany Durell, Ivie English, Andrew Fishburn, Laura Hoffmeister, Scott Matthews, Meena Sharma, Dustin Stevens, Gregg Sullivan, and Max Updike.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS

On Monday, March 22, 2010, the Senate passed H.R. 1586, as amended, as follows:

H.R. 1586

Resolved, That the bill from the House of Representatives (H.R. 1586) entitled ''An Act to impose an additional tax on bonuses received from certain TARP recipients.'', do pass with the following amendments:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''FAA Air Transportation Modernization and Safety Improvement Act''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Amendments to title 49, United States Code.
Sec. 3. Effective date.