

Summary of Wyden Amendment No. 3060, in the Nature of a Substitute

Title I: Expiring Provisions Improvement, Reform, and Efficiency Act of 2014

Title I of the Amendment contains the EXPIRE Act, as reported by the Finance Committee, with one modification to correct a drafting error in Section 125 of Title I. Section 125 of Title I addresses Section 168(k)(4) of the Internal Revenue Code, which relates to accelerating alternative minimum tax credits in lieu of using bonus depreciation.

Title II: Tax Technical Corrections Act of 2014

Title II contains the Tax Technical Corrections Act of 2014 as reported by the Finance Committee, with the addition of technical corrections to Section 833 of the Internal Revenue Code.

Section 833 provides tax benefits to Blue Cross Blue Shield (BCBS) organizations. In 2010, Congress amended Section 833 to provide that BCBS organizations could only benefit from these tax benefits if they had a medical loss ratio of at least 85 percent. Two technical errors were made in drafting this provision; the substitute amendment includes language fixing these errors.

Title III: Hire More Heroes Act of 2014

Title III contains the Hire More Heroes Act, which would allow an employer to exclude any veterans who have health insurance through the VA or TRICARE from the number of employees used to determine whether the employer must comply with the ACA's employer shared responsibility provision. The employer shared responsibility provision has been delayed until 2016 for businesses with fewer than 100 employees.

The staff of the Joint Committee on Taxation with our colleagues at the CBO has analyzed H.R. 3474, which exempts employees with access to TRICARE or CHAMPUS from counting toward firm size in employer shared responsibility calculations. CBO and JCT estimate that this would reduce receipts by about \$800 million over the 10-year budget period, and that it would have a negligible effect on coverage.