

# Union Calendar No. 108

115TH CONGRESS  
1ST SESSION

# H. R. 2581

**[Report No. 115–161, Part I]**

To amend the Internal Revenue Code of 1986 to require the provision of social security numbers as a condition of receiving the health insurance premium tax credit.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2017

Mr. BARLETTA (for himself, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mrs. NOEM, Mr. DUNCAN of South Carolina, Mr. BROOKS of Alabama, Mr. ROGERS of Alabama, Mr. MCKINLEY, and Mr. McCAUL) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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

JUNE 2, 2017

Additional sponsors: Mrs. BLACK, Mr. SMITH of Texas, Mr. LAMBORN, Mr. WILSON of South Carolina, Mr. THOMPSON of Pennsylvania, and Mr. DUNCAN of Tennessee

JUNE 2, 2017

Reported from the Committee on Ways and Means with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

JUNE 2, 2017

The Committee on Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on May 22, 2017]

# **A BILL**

To amend the Internal Revenue Code of 1986 to require the provision of social security numbers as a condition of receiving the health insurance premium tax credit.

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.**

4 *This Act may be cited as the “Verify First Act”.*

5 **SEC. 2. VERIFICATION OF STATUS IN UNITED STATES AS**  
6 **CONDITION OF RECEIVING ADVANCE PAY-**  
7 **MENT OF HEALTH INSURANCE PREMIUM TAX**  
8 **CREDIT.**

9 *(a) APPLICATION TO CURRENT HEALTH INSURANCE*  
10 *PREMIUM TAX CREDIT.—Section 36B of the Internal Rev-*  
11 *enue Code of 1986, as in effect for months beginning before*  
12 *January 1, 2020, is amended by redesignating subsection*  
13 *(g) as subsection (h) and by inserting after subsection (f)*  
14 *the following new subsection:*

15 *“(g) VERIFICATION OF STATUS IN UNITED STATES*  
16 *FOR ADVANCE PAYMENT.—No advance payment of the cred-*  
17 *it allowed under this section with respect to any premium*  
18 *under subsection (b)(2)(A) with respect to any individual*  
19 *shall be made under section 1412 of the Patient Protection*  
20 *and Affordable Care Act unless the Secretary has received*  
21 *confirmation from the Secretary of Health and Human*  
22 *Services that the Commissioner of Social Security or the*  
23 *Secretary of Homeland Security has verified under section*  
24 *1411(c)(2) of such Act the individual’s status as a citizen*  
25 *or national of the United States or an alien lawfully*

1 *present in the United States using a process that includes*  
2 *the appropriate use of information related to citizenship or*  
3 *immigration status, such as social security account num-*  
4 *bers (but not individual taxpayer identification num-*  
5 *bers).”.*

6       **(b) APPLICATION TO NEW HEALTH INSURANCE PRE-**  
7 **MIUM TAX CREDIT.**—*Section 36B of the Internal Revenue*  
8 *Code of 1986, as amended by the American Health Care*  
9 *Act of 2017 and in effect for months beginning after Decem-*  
10 *ber 31, 2019, is amended by adding at the end the following*  
11 *new subsection:*

12       **“(h) VERIFICATION OF STATUS IN UNITED STATES**  
13 **FOR ADVANCE PAYMENT.**—*No advance payment of the cred-*  
14 *it allowed under this section with respect to any amount*  
15 *under subparagraph (A) or (B) of subsection (b)(1) with*  
16 *respect to any individual shall be made under section 1412*  
17 *of the Patient Protection and Affordable Care Act unless*  
18 *the Secretary has received confirmation from the Secretary*  
19 *of Health and Human Services that the Commissioner of*  
20 *Social Security or the Secretary of Homeland Security has*  
21 *verified under section 1411(c)(2) of such Act the individ-*  
22 *ual’s status as a citizen or national of the United States*  
23 *or a qualified alien (within the meaning of section 431 of*  
24 *the Personal Responsibility and Work Opportunity Rec-*  
25 *onciliation Act of 1996 (8 U.S.C. 1641)) using a process*

1 *that includes the appropriate use of information related to*  
2 *citizenship or immigration status, such as social security*  
3 *account numbers (but not individual taxpayer identifica-*  
4 *tion numbers).”.*

5 (c) *CONFORMING AMENDMENT ON CONTINUOUS*  
6 *HEALTH INSURANCE COVERAGE PROVISION.—Section*  
7 *2710A(b)(1) of the Public Health Service Act, as added by*  
8 *section 133 of the American Health Care Act of 2017, is*  
9 *amended by adding after subparagraph (C) the following:*

10 *“In the case of an individual who applies for advance*  
11 *payment of a credit under section 1412 of the Patient*  
12 *Protection and Affordable Care Act and for whom a*  
13 *determination of eligibility for such advance payment*  
14 *is delayed by reason of the requirement for*  
15 *verification of the individual’s status in the United*  
16 *States under section 1411(c)(2) of such Act, the period*  
17 *of days beginning with the date of application for ad-*  
18 *vance payment and ending with the date of such*  
19 *verification shall not be taken into account in apply-*  
20 *ing subparagraph (B). The Secretary shall establish a*  
21 *procedure by which information relating to this pe-*  
22 *riod is provided to the individual.”.*

23 (d) *DELAY PERMITTED IN COVERAGE DATE IN CASE*  
24 *OF DELAY IN VERIFICATION OF STATUS FOR INDIVIDUALS*  
25 *APPLYING FOR ADVANCE PAYMENT OF CREDIT.—Section*

1 1411(e) of the Patient Protection and Affordable Care Act  
2 (42 U.S.C. 18081(e)) is amended—

3 (1) in paragraph (3), by inserting after “appli-  
4 cant’s eligibility” the following: “(other than eligi-  
5 bility for advance payment of a credit under section  
6 1412)”;

7 (2) by adding at the end the following new para-  
8 graph:

9 “(5) *DELAY PERMITTED IN COVERAGE DATE IN*  
10 *CASE OF DELAY IN VERIFICATION OF STATUS FOR IN-*  
11 *DIVIDUALS APPLYING FOR ADVANCE PAYMENT OF*  
12 *CREDIT.—In the case of an individual whose eligi-*  
13 *bility for advance payments is delayed by reason of*  
14 *the requirement for verification under subsection*  
15 *(c)(2), if, for coverage to be effective as of the date re-*  
16 *quested in the individual’s application for enrollment,*  
17 *the individual would (but for this paragraph) be re-*  
18 *quired to pay 2 or more months of retroactive pre-*  
19 *miums, the individual shall be provided the option to*  
20 *elect to postpone the effective date of coverage to the*  
21 *date that is not more than 1 month later than the*  
22 *date requested in the individual’s application for en-*  
23 *rollment.”.*

24 (e) *EFFECTIVE DATES.—*

1           (1) *APPLICATION TO CURRENT HEALTH INSUR-*  
2           *ANCE PREMIUM TAX CREDIT.*—*The amendment made*  
3           *by subsection (a) is contingent upon the enactment of*  
4           *the American Health Care Act of 2017 and shall*  
5           *apply (if at all) to months beginning after December*  
6           *31, 2017.*

7           (2) *APPLICATION TO NEW HEALTH INSURANCE*  
8           *PREMIUM TAX CREDIT.*—*The amendment made by*  
9           *subsection (b) is contingent upon the enactment of the*  
10          *American Health Care Act of 2017 and shall apply*  
11          *(if at all) to months beginning after December 31,*  
12          *2019, in taxable years ending after such date.*

13          (3) *CONFORMING AMENDMENT ON CONTINUOUS*  
14          *HEALTH INSURANCE COVERAGE PROVISION.*—*The*  
15          *amendment made by subsection (c) is contingent upon*  
16          *the enactment of the American Health Care Act of*  
17          *2017 and shall take effect (if at all) as if included in*  
18          *such Act.*

19          (4) *FLEXIBILITY IN COVERAGE DATE IN CASE OF*  
20          *DELAY IN VERIFICATION OF STATUS.*—*The amend-*  
21          *ment made by subsection (d) is contingent upon the*  
22          *enactment of the American Health Care Act of 2017*  
23          *and shall apply (if at all) to applications for advance*  
24          *payments for months beginning after December 31,*  
25          *2017.*

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115<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

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