

AMENDMENT

OFFERED BY MR. DESANTIS OF FLORIDA

Add at the end the following new section:

1 **SEC. _____. CLARIFICATION WITH RESPECT TO GOVERN-**
2 **MENT CONTRIBUTIONS FOR HEALTH INSUR-**
3 **ANCE FOR MEMBERS OF CONGRESS.**

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

5 (1) Section 1312(3)(D) of the Patient Protec-
6 tion and Affordable Care Act explicitly states that
7 the only health plans made available to Members of
8 Congress are those created under such Act or of-
9 fered through an Exchange established under such
10 Act.

11 (2) Members of Congress are not eligible for
12 coverage under the Federal Employees Health Bene-
13 fits Program.

14 (3) The final rule submitted by the Office of
15 Personnel Management entitled “Federal Employees
16 Health Benefits Program: Members of Congress and
17 Congressional Staff” (published at 78 Fed. Reg.
18 60653 (October 12, 2013)) contravenes Federal law
19 and improperly provides to Members of Congress a
20 subsidy that can only lawfully be provided to individ-

1 uals eligible for the Federal Employees Health Bene-
2 fits Program.

3 (4) In a constitutional republic, the Government
4 may not provide itself with a special subsidy not
5 made available to the general citizenry.

6 (b) CLARIFICATION WITH RESPECT TO GOVERN-
7 MENT CONTRIBUTIONS.—Subparagraph (D) of section
8 1312(d)(3) of the Patient Protection and Affordable Care
9 Act is amended by adding at the end the following new
10 clause:

11 “(iii) CLARIFICATION WITH RESPECT
12 TO GOVERNMENT CONTRIBUTIONS.—A
13 Member of Congress is not eligible to re-
14 ceive a Government contribution under sec-
15 tion 8906 of title 5, United States Code.”.

16 (c) EFFECTIVE DATE.—The amendment made by
17 subsection (b) shall apply with respect to Government con-
18 tributions made after the date that is 90 days after the
19 date of the enactment of this Act.

