AMENDMENT
OFFERED BY MR. DeSANTIS OF FLORIDA

Add at the end the following new section:

SEC. _____. CLARIFICATION WITH RESPECT TO GOVERNMENT CONTRIBUTIONS FOR HEALTH INSURANCE FOR MEMBERS OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Section 1312(3)(D) of the Patient Protection and Affordable Care Act explicitly states that the only health plans made available to Members of Congress are those created under such Act or offered through an Exchange established under such Act.

(2) Members of Congress are not eligible for coverage under the Federal Employees Health Benefits Program.

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

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

(b) CLARIFICATION WITH RESPECT TO GOVERNMENT CONTRIBUTIONS.—Subparagraph (D) of section 1312(d)(3) of the Patient Protection and Affordable Care Act is amended by adding at the end the following new clause:

“(iii) CLARIFICATION WITH RESPECT TO GOVERNMENT CONTRIBUTIONS.—A Member of Congress is not eligible to receive a Government contribution under section 8906 of title 5, United States Code.”.

e) EFFECTIVE DATE.—The amendment made by subsection (b) shall apply with respect to Government contributions made after the date that is 90 days after the date of the enactment of this Act.