

**AMENDMENT TO RULES COMMITTEE PRINT 116-
19
OFFERED BY MS. CLARK OF MASSACHUSETTS**

At the end of title XI, add the following:

1 **SEC. 1113. DESIGNATING CERTAIN FEHBP AND FEGLI SERV-
2 ICES PROVIDED BY FEDERAL EMPLOYEES AS
3 EXCEPTED SERVICES UNDER THE ANTI-DEFI-
4 CIENCY ACT.**

5 (a) FEHBP.—Section 8905 of title 5, United States
6 Code, is amended by adding at the end the following:

7 “(i) Any services by an officer or employee under this
8 chapter relating to enrolling individuals in a health bene-
9 fits plan under this chapter, or changing the enrollment
10 of an individual already so enrolled, shall be deemed, for
11 purposes of section 1342 of title 31, services for emer-
12 gencies involving the safety of human life or the protection
13 of property.”.

14 (b) FEGLI.—Section 8702 of title 5, United States
15 Code, is amended by adding at the end the following:

16 “(d) Any services by an officer or employee under this
17 chapter relating to benefits under this chapter shall be
18 deemed, for purposes of section 1342 of title 31, services

1 for emergencies involving the safety of human life or the
2 protection of property.”.

3 (c) REGULATIONS.—

4 (1) IN GENERAL.—Not later than 90 days after
5 the date of the enactment of this Act, the Office of
6 Personnel Management shall prescribe regulations to
7 carry out the amendments made by subsections (a)
8 and (b).

9 (2) PAY STATUS FOR FURLOUGHED EMPLOY-
10 EES.—The regulations prescribed under paragraph
11 (1) for the amendments made by subsection (a) shall
12 provide that an employee furloughed as result of a
13 lapse in appropriations shall, during such lapse, be
14 deemed to be in a pay status for purposes of enroll-
15 ing or changing the enrollment (as the case may be)
16 of that employee under chapter 89 of title 5, United
17 States Code.

18 (d) APPLICATION.—The amendments made by sub-
19 section (a) and (b) shall apply to any lapse in appropria-
20 tions beginning on or after the date of enactment of this
21 Act.

1 **SEC. 1114. CONTINUING SUPPLEMENTAL DENTAL AND VI-**
2 **SION BENEFITS AND LONG-TERM CARE IN-**
3 **SURANCE COVERAGE DURING A GOVERN-**
4 **MENT SHUTDOWN.**

5 (a) IN GENERAL.—Title 5, United States Code, is
6 amended—

7 (1) in section 8956, by adding at the end the
8 following:

9 “(d) Coverage under a dental benefits plan under this
10 chapter for any employee or a covered TRICARE-eligible
11 individual enrolled in such a plan and who, as a result
12 of a lapse in appropriations, is furloughed or excepted
13 from furlough and working without pay shall continue
14 during such lapse and may not be cancelled as a result
15 of nonpayment of premiums or other periodic charges due
16 to such lapse.”;

17 (2) in section 8986, by adding at the end the
18 following:

19 “(d) Coverage under a vision benefits plan under this
20 chapter for any employee or a covered TRICARE-eligible
21 individual enrolled in such a plan and who, as a result
22 of a lapse in appropriations, is furloughed or excepted
23 from furlough and working without pay shall continue
24 during such lapse and may not be cancelled as a result
25 of nonpayment of premiums or other periodic charges due
26 to such lapse.”; and

1 (3) in section 9003, by adding at the end the
2 following:

3 “(e) EFFECT OF GOVERNMENT SHUTDOWN.—Cov-
4 erage under a master contract under this chapter for long-
5 term care insurance for an employee or member of the
6 uniformed services enrolled under such contract and who,
7 due to a lapse in appropriations, is furloughed or excepted
8 from furlough and working without pay shall continue
9 during such lapse and may not be cancelled as a result
10 of nonpayment of premiums or other periodic charges due
11 to such lapse.”.

12 (b) REGULATIONS.—

13 (1) IN GENERAL.—Consistent with paragraph
14 (2), the Director of the Office of Personnel Manage-
15 ment shall prescribe regulations under which pre-
16 miums for supplemental dental, supplemental vision,
17 or long-term care insurance under chapter 89A,
18 89B, or 90 (respectively) of title 5, United States
19 Code, (as amended by subsection (a)) that are un-
20 paid by an employee, a covered TRICARE-eligible
21 individual, or a member of the uniformed services
22 (as the case may be), as a result of that employee,
23 covered TRICARE-eligible individual, or member
24 being furloughed or excepted from furlough and
25 working without pay as a result of a lapse in appro-

1 priations, are paid to the applicable carrier from
2 back pay made available to the employee or member
3 as soon as practicable upon the end of such lapse.

4 (2) LONG-TERM CARE PREMIUMS FROM SOURCE
5 OTHER THAN BACKPAY.—The regulations promul-
6 gated under paragraph (1) for the amendments
7 made by subsection (a)(3) may provide, with respect
8 to any individual who elected under section 9004(d)
9 of title 5, United States Code, to pay premiums di-
10 rectly to the carrier, that such individual may con-
11 tinue to pay premiums pursuant to such election in-
12 stead of from back pay made available to such indi-
13 vidual.

14 (c) APPLICATION.—The amendments made by sub-
15 section (a) shall apply to any contract for supplemental
16 dental, supplemental vision, or long-term care insurance
17 under chapter 89A, 89B, or 90 (respectively) of title 5,
18 United States Code, entered into before, on, or after the
19 date of enactment of this Act.

