

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2193
OFFERED BY MR. COMER OF KENTUCKY**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “FEHB Protection Act
3 of 2025”.

4 SEC. 2. FEHB IMPROVEMENTS.

5 (a) DEFINITIONS.—In this section:

6 (1) DIRECTOR.—The term “Director” means
7 the Director of the Office of Personnel Management.

8 (2) EMPLOYING OFFICE.—The term “employing
9 office” has the meaning given the term in section
10 890.101(a) of title 5, Code of Federal Regulations,
11 or any successor regulation.

12 (3) HEALTH BENEFITS PLAN; MEMBER OF
13 FAMILY.—The terms “health benefits plan” and
14 “member of family” have the meanings given those
15 terms in section 8901 of title 5, United States Code.

16 (4) OPEN SEASON.—The term “open season”
17 means an open season described in section

1 890.301(f) of title 5, Code of Federal Regulations,
2 or any successor regulation.

3 (5) PROGRAM.—The term “Program” means
4 the health insurance programs carried out under
5 chapter 89 of title 5, United States Code, including
6 the program carried out under section 8903c of that
7 title.

8 (6) QUALIFYING LIFE EVENT.—The term
9 “qualifying life event” has the meaning given the
10 term in section 892.101 of title 5, Code of Federal
11 Regulations, or any successor regulation.

12 (b) VERIFICATION REQUIREMENTS.—Not later than
13 1 year after the date of the enactment of this Act, the
14 Director shall issue regulations and implement a process
15 to verify—

16 (1) the veracity of any qualifying life event
17 through which an enrollee in the Program seeks to
18 add a member of family with respect to the enrollee
19 to a health benefits plan under the Program; and

20 (2) that, when an enrollee in the Program seeks
21 to add a member of family with respect to the en-
22 rollee to the health benefits plan of the enrollee
23 under the Program, including during any open sea-
24 son, the individual so added is a qualifying member
25 of family with respect to the enrollee.

1 (c) FRAUD RISK ASSESSMENT.—In any fraud risk
2 assessment conducted with respect to the Program on or
3 after the date of the enactment of this Act, the Director
4 shall include an assessment of individuals who are enrolled
5 in, or covered under, a health benefits plan under the Pro-
6 gram even though those individuals are not eligible to be
7 so enrolled or covered.

8 (d) FAMILY MEMBER ELIGIBILITY VERIFICATION
9 AUDIT.—

10 (1) IN GENERAL.—During the 5-year period be-
11 ginning 1 year after the date of the enactment of
12 this Act, the Director, in coordination with the head
13 of each employing office, shall conduct a comprehen-
14 sive audit regarding members of family who are cov-
15 ered under an enrollment in a health benefits plan
16 under the Program.

17 (2) CONTENTS.—In conducting an audit re-
18 quired under paragraph (1), the Director, in coordi-
19 nation with the head of each employing office, shall
20 review marriage certificates, birth certificates, and
21 other appropriate documents that are necessary to
22 determine eligibility to enroll in a health benefits
23 plan under the Program.

24 (e) DISENROLLMENT OR REMOVAL.—Not later than
25 6 months after the date of the enactment of this Act, the

1 Director shall develop a process by which any individual
2 enrolled in, or covered under, a health benefits plan under
3 the Program who is not eligible to be so enrolled or cov-
4 ered shall be disenrolled or removed from enrollment in
5 a health benefits plan under the Program.

6 **SEC. 3. EARNED BENEFITS AND HEALTHCARE ADMINISTRA-**
7 **TIVE SERVICES ASSOCIATED OVERSIGHT AND**
8 **AUDIT FUNDING.**

9 (a) IN GENERAL.—Section 8909(a)(2) of title 5,
10 United States Code, is amended by striking “Congress.”
11 and inserting “Congress, except that the amounts author-
12 ized under subsection (b)(2) for the Office shall not be
13 subject to the limitations that may be specified annually
14 by Congress.”.

15 (b) OVERSIGHT.—Section 8909(b) of title 5, United
16 States Code, is amended—

17 (1) by redesignating paragraph (2) as para-
18 graph (5); and

19 (2) by inserting after paragraph (1) the fol-
20 lowing:

21 “(2) In addition to the funds provided under
22 paragraph (1), amounts of all contributions shall be
23 available for the Office to develop, maintain, and
24 conduct ongoing eligibility verification and oversight
25 over the enrollment and eligibility systems with re-

1 spect to benefits under this chapter, including the
2 Postal Service Health Benefits Program under sec-
3 tion 8903c. Amounts for the Office under this para-
4 graph shall not be available in excess of the fol-
5 lowing amounts in the following fiscal years:

6 “(A) In fiscal year 2026, \$36,792,000.

7 “(B) In fiscal year 2027, \$44,733,161.

8 “(C) In fiscal year 2028, \$50,930,778.

9 “(D) In fiscal year 2029, \$54,198,238.

10 “(E) In fiscal year 2030, \$54,855,425.

11 “(F) In fiscal year 2031, \$56,062,244.

12 “(G) In fiscal year 2032, \$57,295,613.

13 “(H) In fiscal year 2033, \$58,556,117.

14 “(I) In fiscal year 2034, \$59,844,351.

15 “(J) In fiscal year 2035 and each fiscal
16 year thereafter, the amount equal to the dollar
17 limit for the immediately preceding fiscal year,
18 increased by 2.2. percent.

19 “(3) In fiscal year 2026, \$80,000,000, to be de-
20 rived from all contributions and to remain available
21 until expended, shall be available for the Office to
22 conduct the audit required under section 2(d) of the
23 FEHB Protection Act of 2025. Of such amount, the
24 Office may transfer funds as the Director of the Of-
25 fice determines necessary to an employing office (as

1 that term is defined in section 890.101(a) of title 5,
2 Code of Federal Regulations, or any successor regu-
3 lation) in order to conduct the required audit.

4 “(4) Amounts of all contributions shall be avail-
5 able for the Office of Personnel Management Office
6 of the Inspector General to conduct oversight associ-
7 ated with activities under this chapter (including the
8 Postal Service Health Benefits Program under sec-
9 tion 8903e), including activities associated with en-
10 rollment and eligibility in these programs and any
11 associated audit activities as required under the
12 FEHB Protection Act of 2025. Amounts for the Of-
13 fice of the Inspector General under this paragraph
14 shall not be available in excess of the following
15 amounts in the following fiscal years:

16 “(A) In fiscal year 2026, \$5,090,278.

17 “(B) In fiscal year 2027 and each fiscal
18 year thereafter, the amount equal to the dollar
19 limit for the immediately preceding fiscal year,
20 increased by 2.2 percent.”.

