

**AMENDMENT TO H.R. 2748****OFFERED BY MR. LYNCH OF MASSACHUSETTS**

Page 103, beginning on line 6, strike section 501  
and insert the following:

1 **SEC. 501. SEPARATE NORMAL-COST PERCENTAGE; DISPOSI-**  
2 **TION OF CERTAIN EXCESS CONTRIBUTIONS.**

3 (a) SEPARATE NORMAL-COST PERCENTAGE.—

4 (1) IN GENERAL.—Section 8423(a)(1) of title  
5 5, United States Code, is amended—

6 (A) in subparagraph (A)—

7 (i) in clause (i), by striking “subpara-  
8 graph (B))” and inserting “subparagraph  
9 (B) or (C))”; and

10 (ii) in clause (ii), by striking “and” at  
11 the end;

12 (B) in subparagraph (B), by striking the  
13 period and inserting “; and”; and

14 (C) by adding at the end the following:

15 “(C) the product of—

16 “(i) the normal-cost percentage, as deter-  
17 mined for employees of the United States Post-  
18 al Service (and the Postal Regulatory Commis-  
19 sion), multiplied by

1           “(ii) the aggregate amount of basic pay  
2           payable by the United States Postal Service  
3           (and the Postal Regulatory Commission), for  
4           the period involved, to its employees.”.

5           (2) EFFECTIVE DATE.—The amendments made  
6           by paragraph (1) shall be carried out as soon as  
7           practicable, except that contributions shall be set in  
8           accordance with such amendments not later than the  
9           first applicable pay period beginning in the first fis-  
10          cal year beginning at least 180 days after the date  
11          of the enactment of this Act.

12          (b) DISPOSITION OF CERTAIN EXCESS CONTRIBU-  
13          TIONS.—

14           (1) IN GENERAL.—Section 8423(b) of title 5,  
15          United States Code, is amended by adding at the  
16          end the following:

17          “(6)(A) If, for any fiscal year to which this paragraph  
18          applies, the amount determined under paragraph (1)(B)  
19          is less than zero (hereinafter in this paragraph referred  
20          to as ‘excess postal contributions to FERS’), such amount  
21          shall be treated in accordance with the following:

22           “(i) In the case of the first fiscal year to which  
23          this paragraph applies and for which excess postal  
24          contributions to FERS are determined, the amount  
25          of such excess contributions shall be transferred by

1 the Secretary of the Treasury to such account as the  
2 Secretary considers appropriate so that such amount  
3 may be used for the payment of obligations issued  
4 by the United States Postal Service under section  
5 2005 of title 39.

6 “(ii) In the case of any subsequent fiscal year  
7 to which this paragraph applies and for which excess  
8 postal contributions to FERS are determined, the  
9 amount of such excess contributions shall be trans-  
10 ferred by the Secretary of the Treasury to the ac-  
11 count to which are credited any Government con-  
12 tributions which are made by the United States  
13 Postal Service under section 8334(a)(1)(B) (or  
14 which would be made, but for clause (ii) thereof).

15 “(B) This paragraph applies to the fiscal year last  
16 ending before the date of the enactment of this paragraph  
17 and each fiscal year thereafter.

18 “(C) In the case of any transfer under subparagraph  
19 (A)(ii) for a fiscal year corresponding to a fiscal year for  
20 which a determination of Postal surplus or supplemental  
21 liability is scheduled to be made under section 8348(h),  
22 the transfer under subparagraph (A)(ii) shall be made be-  
23 fore such determination under section 8348(h) is made.”.

24 (2) CONFORMING AMENDMENT.—Section  
25 8348(h)(1)(B)(iii) of title 5, United States Code, is

1       amended by striking “principles.” and inserting  
2       “principles, including any amounts described in sec-  
3       tion 8423(b)(6)(A)(ii).”.

Page 109, beginning on line 8, strike section 505.

