AMENDMENT TO H.R. 4011
OFFERED BY MR. LYNCH OF MASSACHUSETTS

Add at the end the following:

SEC. 3. SEPARATE NORMAL-COST PERCENTAGE.

(a) In general.—Section 8423(a)(1) of title 5, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking “subparagraph (B))” and inserting “subparagraph (B) or (C))”; and

(B) by striking “and” at the end;

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

(3) by adding at the end the following:

“(C) the product of—

“(i) the normal-cost percentage, as determined for employees of the United States Postal Service (and the Postal Regulatory Commission), multiplied by

“(ii) the aggregate amount of basic pay payable by the United States Postal Service (and the Postal Regulatory Commission), for the period involved, to its employees.”.
(b) Effective Date.—The amendments made by
subsection (a) shall be carried out as soon as practicable,
except that contributions shall be set in accordance with
such amendments not later than the first applicable pay
period beginning in the first fiscal year beginning at least
180 days after the date of the enactment of this Act.

SEC. 4. DISPOSITION OF CERTAIN EXCESS CONTRIBUTIONS.

(a) In General.—Section 8423(b) of title 5, United
States Code, is amended by adding at the end the fol-
lowing:

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

“(i) In the case of the first fiscal year to which
this paragraph applies and for which excess postal
contributions to FERS are determined, the amount
of such excess contributions shall be transferred by
the Secretary of the Treasury to such account as the
Secretary considers appropriate so that such amount
may be used for the payment of obligations issued
by the United States Postal Service under section
2005 of title 39.
“(ii) In the case of any subsequent fiscal year to which this paragraph applies and for which excess postal contributions to FERS are determined, the amount of such excess contributions shall be transferred by the Secretary of the Treasury to the account to which are credited any Government contributions which are made by the United States Postal Service under section 8334(a)(1)(B) (or which would be made, but for clause (ii) thereof). “

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

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

(b) CONFORMING AMENDMENT.—Section 8348(h)(1)(B)(iii) of title 5, United States Code, is amended by striking “principles.” and inserting “principles, including any amounts described in section 8423(b)(6)(A)(ii).”.