

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

Add at the end the following:

1 **SEC. 3. SEPARATE NORMAL-COST PERCENTAGE.**

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

4 (1) in subparagraph (A)—

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

7 (B) by striking “and” at the end;

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

10 (3) by adding at the end the following:

11 “(C) the product of—

12 “(i) the normal-cost percentage, as deter-
13 mined for employees of the United States Post-
14 al Service (and the Postal Regulatory Commis-
15 sion), multiplied by

16 “(ii) the aggregate amount of basic pay
17 payable by the United States Postal Service
18 (and the Postal Regulatory Commission), for
19 the period involved, to its employees.”.

1 (b) **EFFECTIVE DATE.**—The amendments made by
2 subsection (a) shall be carried out as soon as practicable,
3 except that contributions shall be set in accordance with
4 such amendments not later than the first applicable pay
5 period beginning in the first fiscal year beginning at least
6 180 days after the date of the enactment of this Act.

7 **SEC. 4. DISPOSITION OF CERTAIN EXCESS CONTRIBU-**
8 **TIONS.**

9 (a) **IN GENERAL.**—Section 8423(b) of title 5, United
10 States Code, is amended by adding at the end the fol-
11 lowing:

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

17 “(i) In the case of the first fiscal year to which
18 this paragraph applies and for which excess postal
19 contributions to FERS are determined, the amount
20 of such excess contributions shall be transferred by
21 the Secretary of the Treasury to such account as the
22 Secretary considers appropriate so that such amount
23 may be used for the payment of obligations issued
24 by the United States Postal Service under section
25 2005 of title 39.

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

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

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

19 (b) CONFORMING AMENDMENT.—Section
20 8348(h)(1)(B)(iii) of title 5, United States Code, is
21 amended by striking “principles.” and inserting “prin-
22 ciples, including any amounts described in section
23 8423(b)(6)(A)(ii).”.

