

113TH CONGRESS
1ST SESSION

H. R. 961

To amend title 5, United States Code, to provide for the computation of normal-cost percentage for postal employees as a separate and distinct class, and to provide for the disposition of certain excess retirement contributions made by the United States Postal Service.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2013

Mr. LYNCH introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 5, United States Code, to provide for the computation of normal-cost percentage for postal employees as a separate and distinct class, and to provide for the disposition of certain excess retirement contributions made by the United States Postal Service.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States Postal
5 Service Stabilization Act of 2013”.

1 **SEC. 2. 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.”.

20 (b) EFFECTIVE DATE.—The amendments made by
21 subsection (a) shall be carried out as soon as practicable,
22 except that contributions shall be set in accordance with
23 such amendments not later than the first applicable pay
24 period beginning in the first fiscal year beginning at least
25 180 days after the date of the enactment of this Act.

1 **SEC. 3. DISPOSITION OF CERTAIN EXCESS CONTRIBU-**
2 **TIONS.**

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

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

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

20 “(ii) In the case of any subsequent fiscal year
21 to which this paragraph applies and for which excess
22 postal contributions to FERS are determined, the
23 amount of such excess contributions shall be trans-
24 ferred by the Secretary of the Treasury to the ac-
25 count to which are credited any Government con-
26 tributions which are made by the United States

1 Postal Service under section 8334(a)(1)(B) (or
2 which would be made, but for clause (ii) thereof).

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

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

12 (b) CONFORMING AMENDMENT.—Section
13 8348(h)(1)(B)(iii) of title 5, United States Code, is
14 amended by striking “principles.” and inserting “prin-
15 ciples, including any amounts described in section
16 8423(b)(6)(A)(ii).”.

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