

# Union Calendar No. 118

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 22

[Report No. 111-216]

To amend chapter 89 of title 5, United States Code, to allow the United States Postal Service to pay its share of contributions for annuitants' health benefits out of the Postal Service Retiree Health Benefits Fund.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. MCHUGH (for himself and Mr. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

JULY 21, 2009

Additional sponsors: Mr. GORDON of Tennessee, Mr. TERRY, Mr. ELLISON, Mr. BISHOP of New York, Mr. WALZ, Mr. EDWARDS of Texas, Mr. PASTOR of Arizona, Mr. THOMPSON of Mississippi, Mr. ABERCROMBIE, Mr. SESTAK, Mr. LATHAM, Mr. KAGEN, Mr. BOREN, Mr. MASSA, Mr. KUCINICH, Mr. HOLDEN, Mr. BARTLETT, Ms. ROS-LEHTINEN, Mr. VIS-CLOSKY, Mr. REHBERG, Ms. ZOE LOFGREN of California, Mr. KILDEE, Mr. SPACE, Ms. WOOLSEY, Mr. BOOZMAN, Mr. PLATTS, Mr. BACA, Mr. CARNEY, Mr. CHANDLER, Mr. HINCHEY, Mr. LINCOLN DIAZ-BALART of Florida, Mr. HARE, Mr. BOSWELL, Ms. KAPTUR, Mr. BURTON of Indiana, Mr. CONYERS, Mr. WEXLER, Mr. ROE of Tennessee, Mr. MICHAUD, Mr. MOORE of Kansas, Ms. ROYBAL-ALLARD, Mr. YOUNG of Florida, Mr. OBERSTAR, Mrs. HALVORSON, Mr. MURTHA, Mr. BRALEY of Iowa, Mr. FILNER, Ms. PINGREE of Maine, Mr. UPTON, Mr. HASTINGS of Florida, Mr. MURPHY of Connecticut, Mr. BERRY, Mr. COURTNEY, Mr. MCGOVERN, Mrs. DAVIS of California, Mr. HONDA, Mr. FOSTER, Mr. SIMPSON, Mr. CARNAHAN, Mr. CLEAVER, Mr. THOMPSON of California, Mrs. MILLER of Michigan, Ms. HERSETH SANDLIN, Ms. SCHAKOWSKY, Mr. GRAVES, Mr. MCNERNEY, Mr. GRIJALVA, Ms. SHEA-PORTER, Ms. CORRINE BROWN of Florida, Mr. SIRES, Mr. ISRAEL, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. MCCOLLUM, Mr. ALTMIRE, Mr. MANZULLO, Mr. MINNICK, Mr. STUPAK, Mr. ROTHMAN of New Jersey, Mr. GRAYSON, Mr. PALLONE, Mr. LARSON of Connecticut, Mrs. MALONEY,

Mrs. EMERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. COFFMAN of Colorado, Mr. KENNEDY, Mr. PASCARELL, Ms. DELAURO, Mr. HILL, Mr. PAYNE, Mr. ANDREWS, Mr. TONKO, Mr. HIMES, Mr. ADLER of New Jersey, Mr. GONZALEZ, Mr. SMITH of New Jersey, Mr. HOLT, Mr. FRELINGHUYSEN, Mr. WILSON of South Carolina, Mr. TIERNEY, Mr. LOBIONDO, Mr. JOHNSON of Georgia, Mr. LOEBSACK, Mr. THOMPSON of Pennsylvania, Mr. SCHAUER, Mr. KING of New York, Mr. FARR, Mr. SHIMKUS, Ms. SUTTON, Mr. FRANK of Massachusetts, Ms. GIFFORDS, Mr. RUSH, Mr. PAUL, Mr. ARCURI, Ms. SPEIER, Mr. COHEN, Mr. MORAN of Kansas, Mr. GUTIERREZ, Mrs. DAHLKEMPER, Mr. CONNOLLY of Virginia, Mrs. MCCARTHY of New York, Mr. LIPINSKI, Mr. ROSS, Mr. MORAN of Virginia, Ms. HIRONO, Ms. VELÁZQUEZ, Mr. BAIRD, Mr. BOUSTANY, Mr. DENT, Ms. TITUS, Mr. ALEXANDER, Ms. BERKLEY, Ms. HARMAN, Mr. LANCE, Mr. TIM MURPHY of Pennsylvania, Ms. LINDA T. SÁNCHEZ of California, Mr. GENE GREEN of Texas, Mr. MCMAHON, Mr. DOGGETT, Mr. HALL of Texas, Mr. HINOJOSA, Mr. BLUMENAUER, Mr. DAVIS of Tennessee, Mr. MATHESON, Ms. ESHOO, Mr. SOUDER, Mr. MITCHELL, Ms. RICHARDSON, Mr. SNYDER, Mr. BURGESS, Ms. JACKSON-LEE of Texas, Mr. CARDOZA, Mrs. KIRKPATRICK of Arizona, Mr. PRICE of North Carolina, Mrs. NAPOLITANO, Mr. FLEMING, Mr. RODRIGUEZ, Mr. LANGEVIN, Mr. YARMUTH, Mr. MARIO DIAZ-BALART of Florida, Ms. JENKINS, Mr. ORTIZ, Mr. BERMAN, Ms. LEE of California, Mr. TURNER, Ms. WASSERMAN SCHULTZ, Mr. BILBRAY, Mrs. CAPPS, Mr. HODES, Mr. CAO, Mr. KIND, Mr. KISSELL, Mr. MAFFEI, Mr. BRADY of Pennsylvania, Mr. ISSA, Ms. SLAUGHTER, Mr. ACKERMAN, Mr. CROWLEY, Ms. MARKEY of Colorado, Mr. DEAL of Georgia, Mr. WILSON of Ohio, Mr. COSTELLO, Mr. MEEKS of New York, Mr. KLEIN of Florida, Mr. RAHALL, Mr. CARSON of Indiana, Mr. MCINTYRE, Mr. CLAY, Ms. GINNY BROWN-WAITE of Florida, Mr. THORNBERRY, Mr. HIGGINS, Mr. GERLACH, Mrs. LUMMIS, Ms. KOSMAS, Mr. SALAZAR, Mr. FORTENBERRY, Mr. SERRANO, Mr. BROWN of South Carolina, Ms. KILPATRICK of Michigan, Ms. NORTON, Mr. ELLSWORTH, Mr. CHILDERS, Mr. BLUNT, Mr. DONNELLY of Indiana, Mr. MELANCON, Mr. CUMMINGS, Mr. YOUNG of Alaska, Mr. FATTAH, Mr. SHERMAN, Mr. DICKS, Mr. KLINE of Minnesota, Mr. WALDEN, Mr. SMITH of Washington, Mrs. BONO MACK, Mr. SCHIFF, Mr. LUCAS, Ms. EDWARDS of Maryland, Mr. WELCH, Mr. HOEKSTRA, Mrs. CAPITO, Mr. BOCCIERI, Mr. ENGEL, Mr. REICHERT, Mr. JONES, Mr. GARRETT of New Jersey, Mr. MOLLOHAN, Mr. CHAFFETZ, Mr. POLIS of Colorado, Mr. MARKEY of Massachusetts, Mr. BOUCHER, Ms. GRANGER, Mr. CALVERT, Mrs. TAUSCHER, Mr. SMITH of Nebraska, Mr. SARBANES, Mr. SCOTT of Georgia, Mr. WU, Mr. PUTNAM, Mr. DELAHUNT, Mr. BISHOP of Georgia, Mr. DRIEHAUS, Ms. FOXX, Mrs. LOWEY, Mr. TIAHRT, Mr. PETERSON, Mr. ROONEY, Ms. CLARKE, Mr. MEEK of Florida, Ms. BALDWIN, Mr. PETERS, Mr. JOHNSON of Illinois, Mr. OLVER, Mr. BISHOP of Utah, Mr. CASTLE, Mr. GALLEGLY, Ms. MOORE of Wisconsin, Mr. RANGEL, Mr. SHULER, Mr. HALL of New York, Mr. RYAN of Ohio, Mr. STARK, Mr. TEAGUE, Mr. WAXMAN, Mr. SCHRADER, Ms. LORETTA SANCHEZ of California, Mr. NADLER of New York, Mr. INSLEE, Mr. BARROW, Mr. SCOTT of Virginia, Mr. SKELTON, Mr. WEINER, Mr. LUETKEMEYER, Mr. BUYER, Mr. LEE of New York, Mr. AL GREEN of Texas, Mr. POSEY, Ms. MATSUI, Mr.

ETHERIDGE, Mr. DOYLE, Mr. MILLER of North Carolina, Mr. MICA, Mr. LEWIS of Georgia, Mr. PERLMUTTER, Mr. HEINRICH, Ms. WATSON, Ms. FUDGE, Ms. KILROY, Mr. INGLIS, Mr. SHUSTER, Mr. CASSIDY, Ms. DEGETTE, Mrs. BLACKBURN, Ms. TSONGAS, Mrs. MYRICK, Mr. NYE, Mr. POMEROY, Mr. BUTTERFIELD, Ms. SCHWARTZ, Mr. GUTHRIE, Mr. CAPUANO, Ms. BORDALLO, Ms. WATERS, Mr. BONNER, Mr. NEAL of Massachusetts, Mr. COBLE, Mr. PIERLUISI, Mr. LATOURETTE, Mr. TANNER, Mr. PETRI, Mr. LUJÁN, Mr. CARTER, Mr. DEFazio, Mr. LATTa, Mr. JACKSON of Illinois, Mr. McDERMOTT, Ms. CASTOR of Florida, Mr. RUPPERSBERGER, Mr. AUSTRIA, Ms. BEAN, Mr. POE of Texas, Mr. CUELLAR, Mr. KRATOVIL, Mr. CAMP, Mr. BRADY of Texas, Mr. REYES, Mr. PAULSEN, Mrs. McMORRIS RODGERS, Mr. WOLF, Mr. QUIGLEY, Mr. TIBERI, Mr. McCAUL, Mr. LEVIN, Mr. VAN HOLLEN, Mr. MILLER of Florida, Mr. LARSEN of Washington, Mr. KING of Iowa, Mr. SCHOCK, and Mr. SESSIONS

JULY 21, 2009

Reported with an amendment, committed to the Committee of the Whole  
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

# **A BILL**

To amend chapter 89 of title 5, United States Code, to allow the United States Postal Service to pay its share of contributions for annuitants' health benefits out of the Postal Service Retiree Health Benefits Fund.

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. GOVERNMENT CONTRIBUTIONS FOR POSTAL**  
4 **ANNUITANTS' HEALTH BENEFITS.**

5 (a) **IN GENERAL.**—Section 8906(g)(2)(A) of title 5,  
6 United States Code, is amended by striking “shall through  
7 September 30, 2016, be paid by the United States Postal  
8 Service, and thereafter”.

9 (b) **EFFECTIVE DATE.**—The amendment made by  
10 subsection (a) shall be effective as of October 1, 2008.

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “United States Postal*  
13 *Service Financial Relief Act of 2009”.*

14 **SEC. 2. GOVERNMENT CONTRIBUTIONS FOR POSTAL ANNU-**  
15 **ITANTS' HEALTH BENEFITS.**

16 (a) **IN GENERAL.**—Paragraph (2)(A) of section  
17 8906(g) of title 5, United States Code, is amended to read  
18 as follows:

19 “(2)(A)(i) *The Government contributions authorized*  
20 *by this section for health benefits for an individual who first*  
21 *becomes an annuitant by reason of retirement from*  
22 *employment with the United States Postal Service on or*  
23 *after July 1, 1971, or for a survivor of such an individual*  
24 *or of an individual who died on or after July 1, 1971, while*  
25 *employed by the Postal Service, shall—*

1           “(I) except as provided in clause (ii), be paid by  
2           the Postal Service through September 30, 2016; and

3           “(II) after September 30, 2016, be paid first  
4           from the Postal Service Retiree Health Benefits Fund  
5           up to the amount contained in the Fund, with any  
6           remaining amount paid by the Postal Service.

7           “(ii) The Government contributions payable under this  
8           paragraph for a fiscal year which is within the period  
9           beginning with fiscal year 2009 and ending with fiscal year  
10          2011 shall be paid in the manner set forth in clause (i)(II)  
11          (rather than clause (i)(I)).”

12          (b) *EFFECTIVE DATE; RECOVERY OF PRIOR*  
13          *PAYMENTS; DEFINITIONS.—*

14               (1) *EFFECTIVE DATE.—This section and the*  
15               *amendment made by this section shall be effective as*  
16               *of October 1, 2008, and shall apply with respect to*  
17               *Government contributions payable for pay periods*  
18               *beginning on or after that date.*

19               (2) *RECOVERY OF PRIOR PAYMENTS.—In the case*  
20               *of any direct contributions made for any pay period*  
21               *beginning on or after the effective date of this section*  
22               *and ending before the date of enactment of this Act,*  
23               *the United States Postal Service may recover the*  
24               *amount of those direct contributions so made through*  
25               *offsets against any amounts which (but for this*

1       paragraph) would otherwise be payable, on or after  
2       such date of enactment, under section 8909a of title  
3       5, United States Code.

4               (3) *DEFINITION.*—For purposes of this subsection  
5       the term “direct contributions” refers to contributions  
6       payable in the manner described in subclause (I) of  
7       section 8906(g)(2)(A)(i) of title 5, United States Code  
8       (as amended by subsection (a)).

9       **SEC. 3. TECHNICAL CORRECTION.**

10       The heading for section 8909a of title 5, United States  
11       Code, is amended by striking “**BENEFIT**” and inserting  
12       “**BENEFITS**”.

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111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

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