

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2309
OFFERED BY MR. MEEHAN OF PENNSYLVANIA**

Page 39, strike lines 8 through 14, and insert the following:

1 (1) COMMENCEMENT OF A CONTROL PERIOD.—

2 (A) For the purposes of this title, a control
3 period commences whenever the Postal Service
4 has been in default to the Treasury of the
5 United States, with respect to any debts, obli-
6 gations, loans, bonds, notes, or other form of
7 borrowing, or any scheduled payments to any
8 fund in the Treasury of the United States, for
9 a period of at least 30 days.

10 (B) For purposes of the first control pe-
11 riod, the Authority shall operate exclusively in
12 an advisory period for two full fiscal years after
13 the commencement of the control period. At the
14 completion of the second full fiscal year or any
15 year thereafter during the length of the control
16 period, if the Postal Service's annual deficit is
17 greater than \$2,000,000,000, the Authority

1 shall be fully in force according to the provi-
2 sions of this title. During an advisory period—

3 (i) the Authority is not authorized to
4 employ any staff and the Postal Service
5 shall designate a Level-Two Postal Service
6 Executive as a liaison with the members of
7 the Authority;

8 (ii) any provision of this title that re-
9 quires the Authority or the Postal Service
10 to take any action shall be considered only
11 to take effect in the event the Authority
12 comes into full force and that effective
13 date shall be considered to be the date of
14 the commencement of the control period
15 for the purposes any provision not mention
16 in this subparagraph; and

17 (iii) the Postal Service shall have ac-
18 cess to the funds available under section
19 222 according to applicable provisions of
20 this Act, subject to the approval of the
21 Postal Service Board of Governors without
22 the approval of the Authority.

Page 44, line 2, strike “10 years” insert “5 years”.

Page 48, line 15, insert “or” after the semicolon.

Page 48, strike lines 16 through 23.

Page 49, line 1, strike “(7)” and insert “(4)”.

Page 53, strike lines 1 through 23.

Page 53, line 24, strike “(h)” and insert “(g)”.

Page 54, strike line 18 and all that follows through page 59, line 2.

Page 66, strike line 1 and all that follows through page 67, line 19.

Page 72, line 5, after the period, insert the following: “The authorization to issue obligations under this section shall extend for a period of not more than 10 years beginning on the date of commencement of a control period, as described in section 202(b). At the end of such a 10-year period, the Postal Service shall dispose of real property of the Postal Service generating sufficient proceeds to repay any outstanding obligation incurred under this subsection in its entirety.”.

Page 72, line 17, after the period, insert the following: “For each fiscal year in which there remain funds made available to the Postal Service under subsection (a), the Postal Service shall dispose of real property equal to an amount that is at least 10 percent of the total funds obligated by the Postal Service under subsection (a), and

the proceeds of such disposal shall be used to repay any outstanding obligation made by the Postal Service under subsection (a) in its entirety.”.

Page 108, line 14, strike the closing quotation marks and the final period.

Page 108, after line 14, insert the following:

1 “(e) Any collective-bargaining agreement between the
2 Postal Service and the bargaining representatives recog-
3 nized under section 1203 ratified before the date of enact-
4 ment of this Act that contain any provision violating sub-
5 section (d) shall be renegotiated with a new collective-bar-
6 gaining agreement to be ratified or imposed through an
7 arbitration decision under section 1207 within 9 months
8 after such date of enactment.”.

Page 112, after line 20, insert the following:

9 **SEC. 306. ONE-TIME TRANSFER OF NET SURPLUS POSTAL**
10 **RETIREMENT CONTRIBUTIONS.**

11 (a) **TRANSFER REQUIREMENT.**—Not later than 2
12 weeks after the date of enactment of this Act, there shall
13 be appropriated to the Postal Service Fund, from the
14 Postal Service Federal Employee Retirement System ac-
15 count within the Civil Service Retirement and Disability
16 Fund, an amount equal to the absolute value of the
17 amount computed as of September 30, 2010, under sec-

1 tion 8423(b)(1)(B) of title 5, United States Code, less the
2 sum of—

3 (1) the Postal supplemental liability, calculated
4 as of September 30, 2010, under section 8348(h) of
5 title 5, United States Code; and

6 (2) any contribution required by section 8423
7 of such title that the Postal Service has not made
8 during fiscal years 2011 or 2012, as determined by
9 the Office of Personnel Management no later than
10 one week after the date of enactment of this Act

11 (b) LIMITATIONS ON USE.—The amount transferred
12 to the Postal Service Fund under this section—

13 (1) may be used for such purposes as the Post-
14 al Service considers appropriate; except that

15 (2) if any amounts so transferred remain in the
16 Postal Service Fund after September 30, 2015, such
17 amounts shall be used—

18 (A) first, to satisfy any supplemental liabil-
19 ity computed under section 8423(b)(1)(B) of
20 title 5, United States Code;

21 (B) second, to satisfy any supplemental li-
22 ability computed under section 8348(h) of title
23 5, United States Code; and

1 (C) third, to satisfy any obligations of the
2 Postal Service under section 2005 of title 39,
3 United States Code.

4 (c) DEFINITIONS.—For purposes of this section—

5 (1) the term “Civil Service Retirement and Dis-
6 ability Fund” refers to the fund under section 8348
7 of title 5, United States Code; and

8 (2) the term “Postal Service Fund” refers to
9 the fund under section 2003 of title 39, United
10 States Code.

11 (d) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that the Postal Service should use any funds under
13 subsection (b)(1) for separation incentives for Postal em-
14 ployees.

