

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

Strike section 111 of the bill and insert the following:

**1 SEC. 111. IMPLEMENTATION OF DISCRETIONARY NON-MAIL  
2 DELIVERY DAYS.**

**3 (a) IN GENERAL.**—Section 404 is amended by insert-  
**4 ing** after subsection (e) the following:

**5 “(f)(1)** The Postmaster General may, with respect to  
**6 any year** for which 6-day delivery is otherwise required,  
**7 declare** up to 12 non-mail delivery days. Not later than  
**8 1 month** before the beginning of the year, the Postmaster  
**9 General** shall submit to the Board of Governors a report  
**10 listing** the non-mail delivery days in such year.

**11 “(2)** A declaration under paragraph (1) shall not be  
**12 effective** unless it is made in compliance with the fol-  
**13 lowing:**

**14 “(A)** A non-mail delivery day under this sub-  
**15 section** shall be a day other than—

**16 “(i)** a Sunday;

**17 “(ii)** a legal public holiday listed in section  
**18 6103(a)** of title 5 or any other day declared to

1           be a holiday by Federal statute or Executive  
2           order; or

3           “(iii) during the 30-day period that ends  
4           on the date of a regularly scheduled general  
5           election for Federal office.

6           “(3) Any day which is declared under this subsection  
7           to be a non-mail delivery day—

8           “(A) shall, for purposes of mail delivery and  
9           such other postal operations as the Postal Service  
10          may by regulation prescribe, be treated as if it were  
11          a Sunday; except that

12          “(B) an employee of the Postal Service (other  
13          than one who is prevented from working on such day  
14          by reason of this subsection) shall be entitled to the  
15          same pay and benefits for that day as if this sub-  
16          section had not been enacted.

17          “(4)(A) The 6-day mail delivery requirement shall  
18          not apply with respect to a week in which a non-mail deliv-  
19          ery day under this subsection occurs.

20          “(B) The authority to declare a non-mail delivery day  
21          under this subsection shall be considered to be within the  
22          right of the Postal Service to determine the methods,  
23          means, and personnel by which postal operations are to  
24          be conducted.

1       “(5) Not less than 6 months after the date of enact-  
2 ment of this subsection, the Postal Service may submit  
3 a proposal under section 3661 for a nationwide change  
4 in service to reduce mail delivery from 6 days to 5 days  
5 each week. Notwithstanding any other provision of law,  
6 the Postal Service shall maintain 6-day delivery service as  
7 the standard mail delivery schedule until 90 days following  
8 the rendering of an advisory opinion on 5-day delivery by  
9 the Postal Regulatory Commission.”.

