

## Calendar No. 424

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 1507****[Report No. 111–203]**

To amend chapter 89 of title 5, United States Code, to reform Postal Service retiree health benefits funding, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 23, 2009

Mr. CARPER (for himself, Mr. LIEBERMAN, and Mr. INOUE) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

JUNE 9, 2010

Reported by Mr. LIEBERMAN, with amendments

[Omit the part struck through and insert the part printed in *italie*]

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**A BILL**

To amend chapter 89 of title 5, United States Code, to reform Postal Service retiree health benefits funding, and for other purposes.

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 “Postal Service Retiree  
5       Health Benefits Funding Reform Act of 2009”.

1 **SEC. 2. GOVERNMENT CONTRIBUTIONS.**

2 Section 8906(g)(2)(A) of title 5, United States Code,  
3 is amended by striking “shall through September 30,  
4 2016, be paid by the United States Postal Service, and  
5 thereafter”.

6 **SEC. 3. POSTAL SERVICE RETIREE HEALTH BENEFITS**  
7 **FUND.**

8 Section 8909a of title 5, United States Code, is  
9 amended—

10 (1) in the section heading, by striking “**Ben-**  
11 **efit**” and inserting “**Benefits**”; and

12 (2) in subsection (d)—

13 (A) in paragraph (2)(B)—

14 (i) by striking “2017” and inserting  
15 “2020”; and

16 (ii) by striking “2056” and inserting  
17 “2059”;

18 (B) in paragraph (3)—

19 (i) by striking the matter preceding  
20 subparagraph (B) and inserting the fol-  
21 lowing:

22 “(3)(A) The United States Postal Service shall  
23 pay into such Fund—

24 “(i) \$5,400,000,000, not later than Sep-  
25 tember 30, 2007;

1                   “(ii) \$5,600,000,000, not later than Sep-  
2                   tember 30, 2008;

3                   “(iii) \$1,700,000,000, not later than Sep-  
4                   tember 30, 2009;

5                   “(iv) \$1,700,000,000, not later than Sep-  
6                   tember 30, 2010;

7                   “(v) \$3,100,000,000, not later than Sep-  
8                   tember 30, 2011;

9                   “(vi) \$3,900,000,000, not later than Sep-  
10                  tember 30, 2012;

11                  “(vii) \$4,100,000,000, not later than Sep-  
12                  tember 30, 2013;

13                  “(viii) \$4,300,000,000, not later than Sep-  
14                  tember 30, 2014;

15                  “(ix) \$4,500,000,000, not later than Sep-  
16                  tember 30, 2015;

17                  “(x) \$4,700,000,000, not later than Sep-  
18                  tember 30, 2016;

19                  “(xi) \$4,900,000,000, not later than Sep-  
20                  tember 30, 2017;

21                  “(xii) \$5,100,000,000, not later than Sep-  
22                  tember 30, 2018; and

23                  “(xiii) \$5,300,000,000, not later than Sep-  
24                  tember 30, 2019.”;

1 (ii) by redesignating subparagraph  
 2 (B) as subparagraph (C), and inserting  
 3 after subparagraph (A) the following:

4 “(B) Not later than September 30, 2009,  
 5 and by September 30 of each succeeding year  
 6 through 2019, the United States Postal Service  
 7 shall pay into such Fund the net present value  
 8 computed under paragraph (1).”; and

9 (iii) in subparagraph (C) (as redesign-  
 10 nated in this subparagraph), by striking  
 11 “2017” and inserting “2020”; and

12 (C) in paragraph 4, by striking “financial  
 13 reporting under subchapter II of chapter 35 of  
 14 title 31” and inserting “valuations under chap-  
 15 ter 84”.

16 **SEC. 4. TEMPORARY INCREASE TO POSTAL SERVICE BOR-**  
 17 **ROWING LIMITATIONS.**

18 (a) IN GENERAL.—For fiscal years 2009 and 2010,  
 19 section 2005(a) of title 39, United States Code, shall be  
 20 applied by substituting “\$5,000,000,000” for the limita-  
 21 tion specified in paragraph (1).

22 ~~(b) MAXIMUM AMOUNT LIMITATION AND REPAY-~~  
 23 ~~MENT.—Any amount borrowed under the increase in bor-~~  
 24 ~~rowing authority provided under subsection (a) of this sec-~~  
 25 ~~tion—~~

4                   (2) shall be repaid by the Postal Service to the  
5           United States Treasury by not later than the end of  
6           fiscal year 2019.

15 *SEC. 5. CONSIDERATION OF POSTAL SERVICE FINANCIAL*  
16 *CONDITION.*

21 *SEC. 6. ASSESSMENT OF FUTURE BUSINESS MODEL OF THE*  
22 *POSTAL SERVICE.*

23        *Section 710(a) of the Postal Accountability and En-*  
24        *hancement Act (Public Law 109-435; 120 Stat. 3247) is*  
25        *amended by striking the first and second sentences and in-*

1 *serting “The Comptroller General of the United States shall*  
 2 *prepare and submit to the President and Congress a report*  
 3 *that evaluates the options and strategies for the long-term*  
 4 *structural and operational reforms of the United States*  
 5 *Postal Service necessary to achieve financial stability and*  
 6 *long-term fiscal viability. The final report required by this*  
 7 *section shall be submitted by March 31, 2010.”.*

8 **SEC. 7. PROHIBITION ON BONUSES.**

9 *Section 3686 of title 39, United states Code, is amend-*  
 10 *ed—*

11 *(1) by redesignating subsection (e) as subsection*  
 12 *(f); and*

13 *(2) by inserting after subsection (d) the fol-*  
 14 *lowing:*

15 *“(e) PROHIBITION ON BONUSES.—Notwithstanding*  
 16 *any provision of this section, including subsection (c), any*  
 17 *bonus under this section—*

18 *“(1) subject to paragraph (2), shall be paid on*  
 19 *October 1 following the date such bonus would have*  
 20 *otherwise been paid if not for this subsection; and*

21 *“(2) shall not be paid if the Postal Service had*  
 22 *a year-end net loss for the fiscal year preceding that*  
 23 *October 1.”.*

1 **SEC. 5. EFFECTIVE DATE AND APPLICATION.**

2 (a) ~~IN GENERAL.~~—This Act, including the amend-  
3 ments made by this Act, shall be effective as of October  
4 1, 2008.

5 (b) ~~APPLICATION TO FISCAL YEAR 2009 PAY-~~  
6 ~~MENTS.~~—Any payments made by the Postal Service under  
7 section 8906(g)(2)(A) of title 5, United States Code, for  
8 which the Postal Service is not obligated to pay by reason  
9 of the amendment made by section 2 of this Act shall be  
10 credited against the payments due by September 30, 2009,  
11 under section 8909a(d)(3) of title 5, United States Code,  
12 as amended by this Act.

13 **SEC. 8. EFFECTIVE DATES AND APPLICATION.**

14 (a) *IN GENERAL.*—

15 (1) *EFFECTIVE DATE.*—Sections 2, 3, and 4, in-  
16 cluding the amendments made by those sections, shall  
17 be effective as of October 1, 2008.

18 (2) *APPLICATION TO FISCAL YEAR 2009 PAY-*  
19 *MENTS.*—Any payments made by the Postal Service  
20 under section 8906(g)(2)(A) of title 5, United States  
21 Code, for which the Postal Service is not obligated to  
22 pay by reason of the amendment made by section 2  
23 of this Act shall be credited against the payments due  
24 by September 30, 2009, under section 8909a(d)(3) of  
25 title 5, United States Code, as amended by this Act.

1       (b) *OTHER PROVISIONS.*—*The amendments made by*  
2   *sections 5, 6, and 7 shall take effect on the date of enactment*  
3   *of this Act.*





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