

about 50,000 barrels a day, every day for 3 months; 320 miles of Louisiana coastline were oiled. That was a little over half of the total coastline on the gulf that was oiled—600 miles. Over 86,000 square miles of waters were closed to fishing; about 36 percent of Federal waters in the gulf were closed.

We did that on a very aggressive, proactive basis to make sure we avoided any contaminated seafood ever reaching a store shelf, ever reaching a restaurant. The good news is we accomplished that. Through that proactive closing, not a single piece of contaminated seafood ever reached a store shelf or ever reached a restaurant customer. That was quite an accomplishment.

Lots of dead animals were collected—6,800; 6,100 birds and also other sea turtles and dolphins. It was the biggest ever in American history, a huge environmental disaster.

Two years later, as we pause and look at the environmental effect of that, frankly, there is good news and bad news—or at least good news and continuing challenges. The good news is I don't think anyone would have predicted that the gulf would rebound to where it is today. Mother Nature has proved again to be amazingly resilient. That is good news. At the time there were all sorts of pretty dire predictions of huge dead zones covering half the gulf. That has certainly not materialized. So Mother Nature has proved amazingly resilient. But I don't want to trivialize continuing challenges, continuing work. There is continuing environmental work, I understand core projects that are ongoing that are very important. First is the NRDA process, under Federal law, the Natural Resource Damage Assessment. That is the process under Federal law by which all stakeholders help assess the damage to the environment so that the folks guilty of this horrendous incident pay for those damages, pay the State, pay the Federal Government, pay others who will work to restore the environment.

That NRDA process is ongoing. It is a multiyear process. But there is some positive result from that process already. Step one of the process was a settlement with BP for an upfront payment of about \$1 billion.

Just today, two specific projects in Louisiana were announced as a direct result of that first—not last but first—upfront payment of \$1 billion. There is the Lake Hermitage Marsh Creation Project in Plaquemines Parish. That will create approximately 104 acres of brackish marsh from beneficial use of dredge material. That is being announced today. And the Louisiana Oyster Culture Project—that is the placement of oyster cultch onto about 850 acres of public oyster seed grounds throughout coastal Louisiana. So those projects are the start of that NRDA project coming to fruition.

Then the second important work that is ongoing that involves all of us here

in the Senate directly is the need to pass the RESTORE Act through the highway reauthorization bill, the transportation reauthorization bill.

The RESTORE Act language would dedicate 80 percent of the Clean Water Act fines related to this disaster to gulf coast restoration. I thank all of my colleagues again for an enormously positive, overwhelmingly positive, bipartisan vote to attach that RESTORE Act language to the Senate highway bill. I urge my House colleagues, including House conservatives, to pass a House version of the highway bill today. That is important for our country, for highway infrastructure, and it is important because it is a vehicle for this RESTORE Act.

A third and final category I want to touch on that is not as positive, frankly, as the environmental rebound is the impact of all of this and the related moratorium on drilling to our economy on the gulf coast and energy production. Immediately after the disaster, very soon thereafter, President Obama announced a complete moratorium on activity in the gulf on new drilling. That moratorium lasted several months. I think that was a bad mistake, an overreaction to the disaster. I think that has been borne out in several ways, including the panel of experts that the President got together. Their report, we now know, was actually doctored and edited at the White House to make it seem like those true experts supported a full moratorium, when we know directly from them that they did not.

This moratorium went in place anyway and it created a lot of additional economic harm and hurt to a lot of gulf coast residents and workers that was unnecessary. Of course we needed to pause and get new procedures and some new safety regulations in place, of course we needed to learn the lessons of the disaster and incorporate those into practices, but we did not need an all-out moratorium for months. And we do not need a continuing slowdown that continues to this day. An analogy I have often used is when we have a horrible disaster such as an airplane crash, we do not ground every plane for months after such an incident. We allow the industry and that important travel and commercial activity to continue as we immediately learn the lessons of the disaster and incorporate it into safety proceedings.

Well, unfortunately, my point of view did not hold sway at the White House. We had this complete, formal moratorium which lasted into October 2010. But when that formal, complete moratorium was lifted, it didn't just end there. For months and months after that, we had a de facto moratorium, permits which were not happening. There was only a trickle of permits. Now, even though permitting has increased somewhat, we have a dramatic permit slowdown and a slowdown of activity in the gulf. Now more than ever, our country and our citizens cannot af-

ford that. The price at the gas pump is about \$4 a gallon. It has more than doubled during President Obama's tenure. We cannot afford this avoidable slowdown and decrease in important domestic energy activity.

Again, a lot of folks around the country don't realize it, but permitting in the gulf is still way below pre-BP levels. It is 40 percent below pre-BP levels. Now, again, we need to learn and we have learned the lessons of the BP disaster. We need to incorporate those into our regulatory policy, and we have. But we cannot afford a permit slowdown of more than 40 percent since before the BP disaster. Because of that and because of other factors, energy production is down on Federal property and all oil production was down about 14 percent in the last year. Federal offshore production is down about 17 percent. So that is some of the most lasting negative economic impact from the disaster. The Obama administration's wrongheaded reaction to it and the lingering policy on energy production is something we cannot afford as the gulf region, we cannot afford as a country, and we can afford less than ever now with the price at the pump.

Again, I hope we do learn the lessons of this disaster. I hope we continue to ensure that those safety and other lessons are built into our regulatory framework and best practices in the industry. I think that has largely been done, and that work continues. I also hope we honor the lifework of those 11 men who lost their lives, who worked hard every day in that industry producing good American energy by not only allowing that work to happen safely but allowing that work to happen and allowing American citizens to benefit from that work.

The United States is the single most energy-rich country in the world, bar none. For instance, we are far richer than any Middle Eastern country, such as Saudi Arabia. The problem is that we are the only country in the world that puts well over 90 percent of those domestic resources off limits and says: No, no, no. No you can't do this, and no you can't touch that.

We need to build a commonsense American energy policy that says: Yes. Yes, we can. Yes, we can do it safely, and, yes, we can provide American energy for American families and the American economy.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

GSA

Mr. HELLER. Madam President, I come to the floor today to highlight an issue I fight for every day; that is, jobs in Nevada. In Nevada, having a strong tourism industry means more jobs in the State. Las Vegas, Henderson, Lake Tahoe, and Reno have long been favorite destinations for millions of visitors both domestically and, more increasingly, internationally. The entire

southern Nevada economy is heavily dependent on the hotel, gaming, and convention industry, which employs over one-quarter of the region's labor force. Plain and simple, tourism is the lifeblood for business and job creation in Nevada.

Like many taxpayers, I was shocked and disappointed to read the GSA inspector general's report that found inappropriate spending at the 2010 Western Regions Conference that was held in Nevada. This conference was excessive, wasteful, and it completely ignored Federal procurement laws and internal GSA policy on conference spending.

I believe it is appropriate for Congress to exercise its oversight authority on GSA to look into the agency's practices and provide corrective oversight to ensure that taxpayer dollars are spent wisely by this administration. However, I want to be clear: This is not an issue about location, this is the result of poor decisionmaking and leadership by the GSA. Las Vegas is one of the greatest locations in the world for a conference, a meeting, or a vacation. With over 148,000 hotel rooms and 10.5 million square feet of meeting and exhibit space citywide, it is ideally suited to host companies and organizations both large and small. In fact, this past January Las Vegas hosted the Consumer Electronics Show, which had more people attend than the Iowa caucuses. I fully agree that it was inappropriate for the GSA to waste taxpayer dollars, but it is not inappropriate to come to Las Vegas for conventions and meetings.

The actions of GSA should not reflect negatively on Las Vegas, and I am asking all of my colleagues to be mindful of that as they conduct their investigations. The viability of the economy in Nevada is dependent upon the volume of visitors to our State. Last year nearly 39 million visitors came to Las Vegas alone. These visitors came because Las Vegas continues its reign as the No. 1 trade show and convention destination in North America. Las Vegas hosts thousands of meetings and conventions annually and generates billions in revenue.

It is no secret that Washington politicians and this administration have had a negative impact on the Las Vegas economy due to their comments issued publicly. For example, in 2009 attendance at conventions and meetings in Las Vegas fell by 13.6 percent. The following year attendance fell by another 7.2 percent. In total from 2009 to 2010, Las Vegas lost 1.4 million convention attendees. While I recognize that it is unfair to blame total decline on a few ill-advised lines in a speech, there is no doubt that spoken words by politicians clearly have an impact on the Las Vegas economy. Las Vegas and the great State of Nevada should not be political targets because of GSA's misconduct. Las Vegas is an excellent destination for conferences, and I am proud of my State's ability to enter-

tain and accommodate businesses, organizations, and individuals from all over the world.

Again, while several congressional committees investigate this issue, I would respectfully advise my colleagues that it is not the location that can be blamed for the misuse of taxpayer funds. The convention services my State offers are the best in the world. And no town in Nevada should be singled out due to poor judgment by the GSA. It is my hope that all of my colleagues will focus on the misconduct of the GSA and push for a new initiative that spurs growth in the tourist industry instead of blaming Nevada for the mistakes of incompetent government bureaucrats.

I yield the floor.

Mr. LIEBERMAN. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### POSTAL REFORM

Mr. MERKLEY. Madam President, I rise today to address an issue that goes to the very heart of our rural communities—our post offices.

First, let's set the context. Our Postal Service is facing a challenging and difficult situation, no doubt. Americans' habits with first-class mail have changed, and there is greater competition for packages with groups such as FedEx and UPS. But perhaps the biggest wound to the post office's bottom line is one that Congress imposed: a \$5.5 billion yearly financing of health care costs 75 years into the future. That is health care costs not just for folks who aren't yet employed with the post office but for future employees who have not yet been born. So, yes, the post office system must restructure, and it should start with Congress reversing the \$5.5 billion yearly requirement for advanced yearly health care payments.

Let's go to the other end of the spectrum, which absolutely does not make sense, and that is to close our rural post offices. In a rural town, the post office is the only place where nearby residents can send and receive mail. But it is more than that: It is a shipping center for the small businesses of the communities. It is the pharmacy for seniors and others who need medicines through the mail. It is the community center where folks gather and exchange information. In short, it is the very heart of our rural communities.

Let's start by examining the critical role of rural post offices on small businesses. Virtually every small town is home to a host of small businesses that take orders through the mail and ship their products through the mail. What

would happen to the efficiency of a small business if it had to drive an additional 50 miles per day in order to pick up orders and mail products? Well, quite obviously, it would destroy their efficiency, and they would think about shutting down or they would think about moving.

What would happen to the profit margin of a small business if they had to spend three or four times more on gas—very expensive gas, as we all know? Obviously, it would do a lot of damage to their bottom line and, again, they would think about shutting down or moving.

What would the impact be to that small community of the small businesses shutting down and moving? Well, it would do enormous damage. I think no one would dispute that. So we need to be clear that when we are talking about shutting down rural post offices that are many miles from the next possible opportunity to receive orders and ship products, we are talking about destroying the economic heart of our small towns. It is economic havoc, and it is unacceptable.

Here is the irony. Folks come to the floor of the Senate and talk about economic development. They talk about creating jobs. They talk about how small businesses are the job factory. And they are right on every single point. So if there were no post office in a small community, the very first thing we would do for economic development is to create one so the small businesses can pick up their orders and ship their products. So how is it possible we are considering a bill that is going to shut down these rural post offices that are so essential to small businesses across rural America?

Another powerful role of rural post offices is to deliver critical medicine to America's seniors. What happens if seniors cannot receive their medicines through the mail? One of my colleagues glibly said: Well, of course, they get it from FedEx.

Well, I beg to differ because FedEx uses the postal system to deliver medicines the last mile and to deliver packages the last mile. So, no; they simply can't get their medicines through FedEx. Now they are driving roundtrip 50 miles, sometimes on impassable roads, in order to get critical medicines? Well, they will start thinking about moving.

Then there is the fact that these post offices are the places where citizens gather, where they exchange information, where they find out what is going on. Indeed, sometimes even the last small store has closed in these communities of 200 or 300 families, so then it is the post office that is the heart of communication. So if we take away the small business, we take away the seniors, we take away the communication hub, and we do enormous damage. Why is that bill being considered with this clause on the floor of the Senate? We must change that.

That is why a number of us are putting forward an amendment to say, no;

this is absolutely wrong—wrong on economic development, wrong on service to our senior citizens, and wrong in understanding the cultural heart of our rural communities.

I am going to focus on some comments from two communities in Oregon—two that are on the list of 41 post offices the Postmaster General said were slated for possible consideration for closing. This is a picture of the Tiller Post Office. It is 16 miles from the next nearest post office. Now, imagine being 5 miles from Tiller or 10 miles from Tiller and another 16 miles from the next post office. Now we are talking about 40 to 50 miles roundtrip every single day to pick up orders, ship products, and get medicines. It doesn't make sense.

Here is a letter from Diana Farris, a former postmaster in Tiller. She writes:

Tiller is one such community, where in many ways, time stands still and new technology is beyond their grasp. In Tiller, cellular phone service is unavailable. DSL and cable internet service are unavailable, satellite service is overpriced with the majority of residents unable to afford it and there is no Wi-Fi access in the area.

Diana continues:

Dial up Internet is available (when the poorly maintained telephone service is operational) at top speeds of approximately 24 to 26k, so slow that many websites, including USPS—

That is the U.S. Postal Service—

time out before you can access needed info.

She continues:

The unemployment rate has risen to 13 percent in Douglas County—

That happens to be the county where I was born in rural southern Oregon—

and the lowest gas price in Tiller in the last few months has been \$3.95 per gallon. For communities like this, the local Post Office remains the only option.

That is the end of her letter.

In Tiller, the nearest post office, if Tiller were to close, is 16 miles away. It would mean, a roundtrip, a full hour's drive through winding mountain roads, and that is assuming the best weather and road conditions.

Because of that difficult drive, closing the Tiller Post Office would have a devastating impact on small businesses that rely on the Postal Service to ship their goods.

Here is a letter from Alexandra Petrowski who owns a small business with her husband in Tiller called Singing Falls Mohair. She writes:

We utilize the services of the U.S. Post Office extensively. I would estimate that between 3 and 5 packages go out from our home to destinations all over the world on a daily basis.

We sell our products on Ebay and the business is flourishing! Our growing market is worldwide using the U.S. mail system every day of the week excluding Sundays. In the Ebay marketplace, timely mailing is an integral part of good customer service.

As it is, the Tiller Post Office is seven miles from our rural mountain ranch. A closure of the Tiller Post Office would require a 45-mile round trip journey that would severely impact our modest profit margin.

Alexandra concludes:

We have been engaged in this business for 30+ years. We are seniors and rely extensively on our cottage industry to sustain our ranch operation. Would closing Tiller's Post Office mean effectively an end to our business? The answer at this point in time is that it would seriously jeopardize our business.

Now let's turn to Malheur County and the town of Juntura. This is a picture of Juntura Post Office, approximately 19 miles, or 20 miles if we round it off, to the nearest additional post office. I have a report from a citizen of Juntura named Laura Williams. She details the negative impacts that closing Juntura Post Office would have on the community. Her report is 42 pages long, an incredibly researched and detailed study of the impact that closing this modest modular post office would have on the rural community of Juntura.

Let me read a little bit from her report. She writes:

Juntura residents will either have to drive to Drewsey, to the west, to mail packages, buy money orders and complete a variety of other transactions, or they'll have to drive east to Harper, 34 miles away, a route that winds through a river canyon dangerously choked with deer during the winter months. In essence, Juntura is between a rock and a hard place.

She notes in her letter that 25 percent of Juntura's post office users are seniors who would be particularly impacted by these changes as they rely heavily on the Postal Service to receive medication and may have difficulty driving the long distances required in the particularly hazardous winter months. There is just one word in bold on the front page of her report, and it sums up the closure of the Juntura Post Office. The word is "disastrous." That is how she sums up her 42-page report. The impact would be disastrous on this town of Juntura, this modest structure open a couple of hours a day, serving the citizens, providing the money orders, providing the stamps, providing the ability to receive orders and to send packages. Every part and role it plays she has detailed.

These are just a few stories from rural post offices across America, but these comments are far from being isolated. I think we would find very similar comments from every single small town where these towns of modest size depend on these post offices for critical services.

I have heard these comments all across Oregon. Two weeks ago I visited Fort Klamath, which is also on the closure list. Residents converged once word went out that I was at the post office. People started arriving, cars started arriving, people started sharing their stories, and I would like to share a couple of them.

I want to start with Jeanette and Bob Evans. Bob is a veteran who receives medication through the mail that often needs to be scanned and signed for. They would need to take a 30-mile trip to pick up medications if

Fort Klamath Post Office closes. Jeanette and Bob pointed out that they have a rental business that must follow State law requiring many documents be sent via first-class mail verifying the date of notification. Again, closure would force them to take 30-mile trips to Chiloquin to process this mail correctly.

Fort Klamath is a seasonal community, and the post office is the only place during the winter months where the people gather and meet each other. Without the post office, friends and neighbors will be traveling snowy, icy roads to get mail 15 miles away.

Heidi McLean comes to the Fort Klamath Post Office. She shared these comments. She is a proprietor of the Aspen Inn in Fort Klamath that operates seasonally. She uses the post office daily as they send out packages to everyone interested in staying with them during the season. They could get by with fewer days or partial days, but they feel very strongly they need access to a local post office. A 30-mile roundtrip to Chiloquin would be a serious problem for their small business.

That is why, in partnership with a number of my colleagues, I am offering an amendment to this bill that would create a 2-year moratorium on the closure of rural post offices and would ensure that future closures meet certain conditions.

Under those conditions, no rural post office could be closed unless seniors and persons with disabilities will receive the same or substantially similar service, including access to prescription medicine through the mail; businesses in the community will not suffer economic loss, and the economic loss to the community resulting from the closure will not exceed the savings the Postal Service obtains by closing the rural post office—and that, by the way, goes to a key point which is, it is much more efficient in terms of the economy to have a common mail service in the heart of a small town than to ask hundreds of families to drive 50 or more miles daily to obtain their mail. That makes no sense. It is an enormous waste of citizens' time, an enormous cost in gasoline, in both cases devastating and economically idiotic.

Let any Member come to the floor and defend shutting down a rural post office, requiring hundreds of families to drive 50 miles every day to get their mail, when for a couple hours a day you could have a post office open, and they can access it and support their small businesses, support their access to medicines.

Let's be clear: This is not a Democratic or Republican issue. This is about critical infrastructure for our small towns. I thank Senator LEE, who has worked on this issue in brainstorming with me, Senator McCASKILL, Senator TESTER, Senator BAUCUS, and others, who are all working on this issue.

I agree that we do need to reform the Postal Service for the 21st century.

Conditions have changed, and we need to start by reversing the \$5.5 billion advance payment for folks yet unborn for health care payments. But we must not carve the heart out of our rural communities.

So for the citizens of Tiller, for the citizens of Juntura, for the citizens of Fort Klamath, and for the citizens of small towns across our Nation who depend on these rural post offices, I urge my colleagues to support the amendment I and others are offering.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Acting President pro tempore.

Madam President, I thank my friend from Oregon for his excellent statement, really. Senator COLLINS and I want to work with the Senator and the other cosponsors of the amendment.

I want to say a couple things. The first is, the particular examples Senator MERKLEY gave of the importance of post offices in small towns and in rural America make a larger point to those who have said—those within the Senate and those outside—that in the age of the Internet, the Post Office is a relic we cannot afford, and we have to cut, cut, cut, cut.

Well, there is no question that because the Postal Service is running big deficits—up to about \$13 billion over the last 2 years—there has to be economizing and we have to look at a different business model. But to draw an easy conclusion that in the age of the Internet the post office and the Postal Service do not have a role to play and are not playing a role anymore is wrong. I think the Senator's examples, in very personal ways, show that.

I said yesterday about three times—and I am going to say it again today—notwithstanding the drop in mail volume because of the Internet today, every day the U.S. Postal Service delivers 563 million pieces of mail, and a lot of the things the Postal Service is delivering are critically important to people. An awful lot of the prescription drugs people are getting today, in an increasing number, are coming through the mail. It is an example the Senator cited. The same is true for small businesses with a particular urgency or dependency in small-town and rural America.

So the Senator makes a good point. That does not mean everything that exists has to exist forever. It means we cannot reach an easy conclusion that because the Internet exists we do not need the post office or the Postal Service anymore. The fact is, a lot of people depend on the Postal Service every day, and we want to respect that reality, which is important to the quality of life people live and to the health of our economy overall.

I look forward to working with the Senator on his amendment. The existing bill tried to recognize this problem and contains within it, S. 1789, a number of steps that are aimed at ensuring

the post offices in rural areas and towns are protected and appropriate weight and consideration is given to the importance of such post offices in their communities.

This was done in large part in our committee thanks to a bipartisan amendment offered by Senators Tester and Moran. That was strengthened, we think, in the substitute amendment we are now considering. It includes retail service standards, standards for possible post office closings, and what the standards would be on appeal to the PRC. But I do not believe this is a perfect document and I accept, therefore, the Senator's amendment as a thoughtful attempt to do even better on what we are trying to do. I say to Senator MERKLEY, I look forward to working with you to see if we can reach common ground on this issue.

I will say something else, to put this in a different sort of hard numbers context. The Postmaster General set as a goal at the outset to try to cut about \$20 billion from the annual operating expenses of the Postal Service. That is a tough number. That is over the next 3 or 4 years. We think this bill—and the Postal Service seems to agree—does not quite do that, but it gets pretty close to it. It certainly is somewhere in the \$15 billion to \$20 billion range.

Some of the elements in the bill that save a lot are the money we provide for incentivizing postal workers to retire early. That is an \$8 billion annual savings. There are significant savings in terms of the mail processing facilities—in the billions.

The reality is, interestingly enough, as I think my friend from Oregon knows, the amount of money saved if the Postmaster General actually closed the 3,700 post offices that he put on the list of possible closings is relatively small. It is not nothing, but we are talking about \$150 million to \$200 million if we closed all of them.

So as compared to the billions in the other items we are doing, and in relating that number to what the Senator described in the examples he has given and what we heard in our committee, I think this is an area in which I personally believe we have to tread cautiously.

I thank Senator MERKLEY for his thoughtful statement. I look forward to working with him. I know Senator COLLINS does too, and the other sponsors of the amendment, to see if we can reach an agreement so we can find a way to accept the Senator's amendment.

Mr. MERKLEY. Madam President, I thank my colleague from Connecticut. I appreciate him addressing this issue and I look forward to working with him.

I understand efforts were made to identify issues the Postal Service must consider before closing a post office. But the key is not simply to have them consider an issue but to have a standard by which it can be evaluated whether that standard has been met.

That is the critical distinction, which then allows the review commission, which the Senators have appropriately included in the bill, to have a standard; simply: Did the Postal Service consider this? They will say, yes, they did consider it. But did it have a substantial impact in damaging the local economy? Now there is a standard for the review commission.

I look forward to working with the Senator and thank him so much. And I thank Senator COLLINS and Senator CARPER, who have been working to help address this issue as well.

Mr. LIEBERMAN. I thank the Senator.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I rise to speak on the postal reform bill and to offer constructive suggestions. I know Senator COLLINS was scheduled to speak. I am going to take this time. She is in a meeting, and it is agreeable to her we follow this sequencing.

There is no doubt that the Postal Service is in need of reform, and I support the concept of reform. I salute the architects of the bill, Senators LIEBERMAN and COLLINS, on the framework they have proposed. I think it was thoughtful and robust and even ambitious. I wish to compliment them on the process that is the hallmark of this committee.

If I could have the attention of the Senator from Connecticut for a moment, I say to Senator LIEBERMAN, I want to comment that we know you are about to retire, and we are going to miss you because here we are having a civilized, rational, thoughtful, data-driven type of conversation, and I think it is a hallmark of the way you and Senator COLLINS have functioned to bring this bill to our attention. The Senate ought to do more of it.

I thank the Senator for his leadership, though I disagree with some of the parts in this bill. But that is the way the Senate should be.

Let me talk about postal reform, and first about the post office. The post office is not a business. It is a public utility, and we need to think of it as a public utility; that which provides universal service to keep the juice and electricity of our economy going. If we think of it as a public utility mandated by a national interest to provide universal service, then that is the way we should think about it. Will it require subsidy? Yes. Does it require an open checkbook? No. Does it require reform? Yes.

But the Postal Service has reformed itself from the days of the Pony Express to the present. They had to face the challenge when they invented Western Union. They faced the challenge when we got telephones. Why do we need the Postal Service? Time and time again, the Postal Service has needed to reform. It is time to reform again. But if we are going to reform, we need to make sure we provide safeguards to protect rural communities,

to protect small businesses, and to protect vulnerable populations that do not have access to the Internet.

We have a digital divide in the United States of America. We do not have a universal superinformation highway in the United States of America. We do have a digital divide, and the divide is because of both geography and income. Not everybody walks around with these cool 500 devices. So people rely on the post office for correspondence, for paychecks, for the delivery of products that have been ordered over the Internet—those e-Bay entrepreneurs we know about. Small business relies on it for time-sensitive business documents and the time-sensitive delivery of products.

This is even more important for rural areas. Rural areas have a unique geography, and that can complicate mail delivery or create delays. I represent the mountain counties of western Maryland. At times that weather is so rugged up there you need a snowmobile to get through. Then there is the Eastern Shore—the beautiful, dynamic, charming Eastern Shore. But it is nine counties stretching over 150 to close to 200 miles. Sometimes in places they do not even have cell phone coverage. Reductions to delivery standards, closing a post office, and, most of all, closing a processing center would have a Draconian impact. So in my State we are very concerned about this.

We are willing to do reform. We were willing to close a processing center in western Maryland and work with Pennsylvania and West Virginia—bordering States—to do this. But now they want to close the Easton Mail Processing Center. It is the only processing center on the Eastern Shore. It is the only mail processing center serving nine counties. To use the processing center in Baltimore, it is miles away and across the Bay Bridge.

Then there is this whole issue of merging it with Delaware. Delaware is nine counties away from Somerset County—over 150, close to 200 miles. The operation of this Eastern Shore postal processing facility is absolutely crucial.

Everybody says: Oh, we love the Eastern Shore. Well, I love it too. But I want it to have business. I want my senior citizens to be able to get their prescription drugs by mail, and get them on a timely basis. It is a community of small business. That is what the Eastern Shore is. Even our big business of poultry and seafood is made up of small entrepreneurs involved in this. They need the Postal Service, and they need to have it accessed on the Eastern Shore.

So last February, the Postal Service, in its unique way, announced the closing. Senator CARDIN and myself asked for hearings. The Postal Service responded in a very dismissive way. They dismissed not only CARDIN and MIKULSKI, but they dismissed a half a million residents who live on the Eastern Shore and who rely on this.

When I asked them if they would even hold a hearing so farmers and small businesses and seniors could voice their opinions, they said they heard all they needed. They had no intention of holding a hearing. My constituents have a right to be heard. They have a right to standards of delivery service and they have a right for me to fight for them and I am going to fight for them. But I am also going to fight for postal reform. The way Senator MERKLEY wants to improve the bill, so do I.

I have four amendments pending to get the post office to make sure they not only look at what they are doing—right now they look at what is the impact of what they are doing on the post office. Senator BARB looks at the impact they are having on the customer and on the community. Remember, think of it as a public utility, and we are turning the lights off on the Eastern Shore.

My first amendment says: No processing center can be closed unless a Governor from the State certifies that a closure will not harm the community or disrupt commerce.

My second amendment says: No processing center can be closed unless an independent third party, such as the Commission, talks about the impact on jobs, the unemployment rate and small business and to make the study public.

My third maintains the standard of delivery for overnight. On the Eastern Shore, my veterans need their medical care, my seniors need to be able to get their Social Security checks, and also business—even live birds come through this processing center. Are they going to sit around and go back and forth to Baltimore? Man does that ruffle my feathers. I can tell you that right now.

Fourth, it is strictly ZIP Code politics. I will offer an amendment to prevent the closing of the Easton Post Office. If my other three amendments prevail, I think we have it. It is not just my criteria; it is what Senator MERKLEY and all of us are talking about. The post office is a public utility. We look at the impact of closing, not only the impact of what the post office saves but what the community loses and if it is worth the cost. I do not want to turn the lights out on the Eastern Shore, but I do want to keep the lights of the post office going.

In the spirit of compromise and conversation and civility that marks the leadership of this committee, I want to work with the leadership and see if I can be accommodated. I wish to again congratulate Senators COLLINS and LIEBERMAN on their leadership and on their whole civilized way and also to Senator SANDERS for doing this.

I think I have made my point. Next time, the post office should listen more to the people or they will hear more from Senator BARB.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Madam President, before my friend and colleague from

Maryland leaves the floor, I wish to thank her for her passionate advocacy on behalf of her constituents. I have a similar problem in my home State of Maine, where a processing center has been targeted for closure that would have an extraordinarily detrimental impact on mail delivery for two-thirds of the State of Maine. It makes no sense whatsoever. It would do away with overnight delivery, as the Senator has indicated.

I would encourage her to continue to work with us and also to look at the specific provisions we have put into the substitute that reflect the input we have had from her and many other concerned Senators. One of those standards deals with the overnight delivery and the need to maintain that standard of service.

This is an advantage the Postal Service has, and it helps it keep customers. In my view, to do away with overnight delivery would be foolhardy, and it would actually cause more mailers to leave the Postal Service, which would produce a further decline in volume and, thus, revenues would plummet still further.

I understand a lot of the concerns the Senator from Maryland has raised. I do think we have taken care of some of her concerns in the new substitute we have proposed on a bipartisan basis. But we look forward to continuing to work with her to address her concerns.

Ms. MIKULSKI. If I may respond to the Senator, first of all, I do thank the Senator for the substitute. I think it does make substantial improvements in the bill. It demonstrates that the Senator is listening to colleagues and also to people who are affected.

I am familiar, when we worked on home health care, and the Senator and I teamed up, that in parts of Maine and parts of western Maryland, we had visiting nurses on snowmobiles and they were not going to be reimbursed. So we have an understanding of these rural, rugged communities. I do want to work with Senator COLLINS. In the spirit and tone represented by Senator COLLINS and Senator LIEBERMAN, perhaps we could have an additional conversation.

Mr. LIEBERMAN. Madam President, if I may just briefly, thanks to Senator MIKULSKI for her kind words but also for her directness about her concern about the processing facility she talked about and overall and to thank her for her willingness to work with us to see if we can work out something acceptable.

As Senator COLLINS said, we have made some changes in this substitute that will still require overnight delivery—less broadly than before because we are trying to deal with how to responsibly react to the precipitous drop in mail volume because of the Internet, yet not reduce the quality of service so much that people leave the mail system even more.

I used an analogy yesterday which is probably not exact, but way back when

I was in the State senate in Connecticut, we had a crisis in the financing of our public bus system. One of the things that was done that seemed quite logical at the time was to raise the price of the bus fare. What does the Senator think happened in response to that?

Ms. MIKULSKI. They left.

Mr. LIEBERMAN. Fewer people were riding the buses and the fiscal problem got worse. There is a reality here. The mail volume has dropped so much that we have to close some of the mail processing facilities or—and Senator COLLINS and I feel very strongly about this—we have to thin out the number of personnel working at the facilities.

We put this in as a condition which we thought originally was what the Postmaster was going to be interested in. Do not just precipitously close a lot of mail processing facilities. First—and we require this now—they have to consider a plan to reduce the capacity of a particular facility and presumably the number of people working there before they absolutely close it.

Anyway, bottom line, thanks to Senator MIKULSKI. We look forward to working with her to reach a mutually agreeable result.

Ms. COLLINS. Madam President, I wish to discuss in more detail a key provision of the postal reform bill that is before us; that is, the provision that would refund to the Postal Service an \$11 billion overpayment that the Postal Service has made to the Federal Employee Retirement System.

This is the key provision of our bill because part of the money from that refund would be used to finance the buyouts and retirement incentives the Postmaster General has estimated would allow him to decrease the size of the workforce, in a compassionate way, by about 100,000 workers.

The Postal Service has about 600,000 workers, just to give an idea of how many we are talking about. So it is about 18 percent. That would help the Postal Service right size. It is patterned on the practices many private corporations use when they find they need to downsize. They provide a little incentive for people to retire early or to retire. If they are eligible for retirement, it gives them a little incentive to take advantage of that.

I am convinced this will work because more than 33 percent of postal employees are eligible for retirement right now. We use the standards that are in current laws. The retirement incentive cannot exceed \$25,000. That is in current law for Federal agencies to use, and we would extend that so it is capped to postal employees.

We also would allow the Postal Service to give 1 year of retirement credit for someone who is 1 year short of the necessary number of years under the old Civil Service Retirement System, 2 years under the newer FERS system.

But yesterday I heard one of our colleagues describe this refund of \$11 billion as being an overpayment that will

come from taxpayer pockets. That is not an accurate statement. I realize this bill is very complex. So I wish to provide to my colleagues some additional information. They do not have to just take my word for it; they can take the word of the inspector general of the U.S. Postal Service.

The FERS system does have tax dollars in it from Federal agencies that are paying in for their employees and, of course, the employees also contribute to the system. But when it comes to the Postal Service, the money is not coming from taxpayers. The contributions are not coming from taxpayers. They are coming from postal employees themselves, and they are coming from the Postal Service, which is using its revenue from postage and other services and, thus, it is the ratepayers' money.

The inspector general makes this very clear in his letter. I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF INSPECTOR GENERAL,  
UNITED STATES POSTAL SERVICE,  
February 2, 2012.

Senator JOSEPH LIEBERMAN,  
Senator SUSAN COLLINS,  
Senator TOM CARPER,  
Senator SCOTT BROWN,  
U.S. Senate,  
Washington, DC.

DEAR SENATORS LIEBERMAN, COLLINS, CARPER, AND BROWN: In response to your request, I am providing the following information. The postal surplus for the Federal Employees' Retirement System (FERS) has been projected to be \$11.4 billion for fiscal year (FY) 2011. The Office of Personnel Management (OPM) made this projection as of September 30, 2011. In addition, OPM has projected the postal surplus of the Civil Service Retirement System to be \$1.7 billion for FY 2011.

The source of the FERS funding comes from two streams of revenue: (1) the U.S. Postal Service contributes 11.9 percent of employee salaries to the fund and (2) the employees contribute 0.8 percent. The Postal Service contribution comes from revenue paid for postage, and this money comes from the ratepayers. The employee contribution, as with all federal employees, is made in exchange for a defined benefit.

If you have any questions, please do not hesitate to contact me or Mohammad Adra or Wally Olihovik in my office.

Sincerely,

DAVID C. WILLIAMS,  
Inspector General.

Ms. COLLINS. Madam President, first of all, the inspector general verifies the amount of the overpayments. His letter to Senator LIEBERMAN, Senator CARPER, Senator SCOTT BROWN, and myself, dated February 2, 2012, says:

The postal surplus for the Federal Employees Retirement System (FERS) has been projected to be \$11.4 billion for fiscal year 2011. The Office of Personnel Management made this projection as of September 30 of 2011.

In addition, OPM has projected the postal surplus of the Civil Service Retirement System to be \$1.7 billion for fiscal year 2011.

We are not trying to deal with that; we are only dealing with the FERS surplus. Here is the key paragraph.

The source of the FERS funding comes from two streams of revenue: (1) the U.S. Postal Service contributes 11.9 percent of employee salaries to the fund and (2) the employees contribute 0.8 percent. The Postal Service contribution comes from revenue paid for postage, and this money comes from the ratepayers. The employee contribution, as with all Federal employees, is made in exchange for a defined benefit.

This could not be more clear. This is not taxpayers' money. No matter how many times some of our colleagues may say this is a taxpayer bailout or this is taxpayers' money, it is not true. It is not an accurate understanding of how the system works. I am going to circulate this letter widely, and I hope my colleagues will take the time to read it.

I can understand the confusion, because if it were a Federal agency, a regular Federal agency, it would be taxpayer money. But it is the Postal Service and it is not taxpayer money, and that is important.

The other important point I wish to make is that this is a real overpayment. It has been verified by an independent board of actuaries. This is not something the Postal Service came up with or that our committee came up with. This has been verified by the OPM Board of Actuaries, an independent body comprised of private sector actuaries that advises the Office of Actuaries within OPM and reviews annual reports.

So it is not even OPM's actuaries. It is an independent board of private sector actuaries that has verified that this is, in fact, an overpayment and it is \$11.4 billion.

I ask unanimous consent to have printed in the RECORD a letter from the Office of Personnel Management which explains the independent boards.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES OFFICE OF  
PERSONNEL MANAGEMENT,  
Washington, DC, February 3, 2012.

Hon. SUSAN M. COLLINS,  
Ranking Member, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR COLLINS: On February 2 and 3, 2012, you contacted my office requesting information regarding the amount of surplus contributions made by the U.S. Postal Service to the Civil Service Retirement and Disability (CSR) Fund for its employees who participate in the Federal Employees Retirement System (FERS).

My staff has contacted the U.S. Office of Personnel Management (OPM) Office of the Actuaries (OA). In an email exchange and follow-up discussions on February 3, 2012, the OA indicated to us that its most recent determination of the Postal Service's projected FERS surplus is \$10.9 billion as of September 30, 2010.

We have also confirmed that this figure appears on page 20 of the "Civil Service Retirement and Disability Fund Annual Report: Fiscal Year Ended September 30, 2011", which is attached. This report is issued annually by the OA and OPM's Office of the

Chief Financial Officer. The OPM Board of Actuaries, an independent body comprised of private sector actuaries that advises the OA, reviews the annual reports.

If you have any further questions, please do not hesitate to contact David Cope, the Assistant Inspector General for Legal Affairs, or Susan Ruge, Attorney-Advisor.

Sincerely,

PATRICK E. MCFARLAND,  
*Inspector General.*

Ms. COLLINS. Madam President, the Government Accountability Office has also looked at this issue and found that OPM's Actuary did assess that there was an overpayment—what GAO calls a surplus.

There is one paragraph in the GAO letter that I particularly want to bring to my colleagues' attention because it is a call for action. The Comptroller General says:

We have also reported that Congress and USPS urgently need to reach agreement on a comprehensive reform package to address the Postal Service's financial problems. Congress could consider a one-time return of some, or all, of the FERS surplus as part of a broader package tied to specific actions on the part of USPS to help it address its financial problems. These actions could include prefunding its retiree health benefit obligation, reducing its \$13 billion debt, or developing incentives to reduce its workforce.

Madam President, that is what our bill does. We are following the advice of the GAO to do this one-time refund of the overpayment and dedicate it specifically to the incentives to reduce the debt the Postal Service owes to the Treasury. We also deal with the prefunding of the retiree health benefit issue in our bill as well.

My point is that there is agreement that this is not taxpayers' money. There is agreement that this is a true overpayment. And we have GAO suggesting that we do exactly what this bill does, which is the one-time refund of the overpayment, tied to reform to address the USPS's financial crisis and specifically mandating that the money be used to develop incentives to reduce the size of the workforce and pay down its debt.

I wanted to take this time today to explain this issue because I am very concerned that there are Members who are operating on the basis of a complete misconception that somehow this is a taxpayer bailout or that it is taxpayer funds that are being used to repay this overpayment. That is not accurate.

This bill is very complicated, and I hope we can stick to the facts as we debate it. People may have different views on the way forward or the path forward, but I hope we can keep this free from mischaracterizations about the bill. I understand how it is going to happen because it is a complex matter. That is why we have spent, on our committee, so many months carefully studying this issue and getting help and expertise from GAO, OPM, and outside parties to make sure—and from the IG—we fully understand the provisions of the bill.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I note the presence of my friend from Tennessee on the floor. Before he speaks, I would like to spend a moment responding to Senator COLLINS, and then I will quickly yield to him.

I thank Senator COLLINS. She made a quite complicated subject very understandable. It is a misunderstanding—really a misstatement—to say the money the Postal Service will be refunded is taxpayer money. It is not. It is the return of money collected, as the Senator said, by the post office from ratepayers and from their own employees which was mistakenly put into this retirement fund. This is no more a bail-out with taxpayer money than in the case—which happens—where an individual or a business overpays taxes to the Federal Government. When that miscalculation or error is discovered, they can ask for a refund. That is exactly what has happened here with the Postal Service.

It is critically important to this bill and to the future of the Postal Service because we are requiring in the bill and authorizing that the money refunded not be used for more spending but be used to, one, pay down the debt and, two, make investments by incentivizing the retirement of employees, which will have an enormously important effect on the annual Postal Service budget.

The Postmaster believes that with the money he receives back—really not a majority of it—he can incentivize the retirement of approximately 100,000 current employees of the Postal Service, which is the goal we set for them in this bill. That will result in a savings of over \$8 billion a year for the Postal Service. So this is not only a refund of the Postal Service's own money—not taxpayer money—but it is going to be used to save \$8 billion a year, which is the largest savings component of the proposal we have made.

Again, I thank my friend from Maine.

I yield to my friend from Tennessee.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. DURBIN. Will the Senator from Tennessee yield briefly?

Mr. ALEXANDER. Yes.

Mr. DURBIN. Madam President, I ask unanimous consent that I may speak following the Senator from Tennessee.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, first, I thank the Senator from Maine and the Senator from Connecticut for letting me take a few minutes, and I congratulate them on their hard work on this bill. This is a bipartisan bill that has some bipartisan amendments and suggestions about a big problem. It is the kind of thing we ought to be working on.

I hope that—while we ran into a little obstacle yesterday, in terms of our ability to move forward with relevant

amendments to the Postal Service bill, I hope we can move back in that direction so we can have a good debate.

I thank the Senator from Maine for her full explanation of the refund, which is an essential part of the bill.

TRIBUTE TO FRANKLIN NAMON WATSON AND  
LOWELL RUSSELL

Mr. ALEXANDER. Madam President, my late friend Alex Haley, the author of "Roots," lived his life by these six words: "Find the good and praise it."

Occasionally, I come to the floor and cite an example of a Tennessean or some circumstances in my State that fit those six words.

A few weeks ago, I came here to talk about 91-year-old Tennessean Bill Hoffman, a resident of Memphis, who turned down a Purple Heart in 1944 when he was wounded in Germany because there were so many other people who were hurt worse than he was. His son thought, since his father is now 91, that maybe it is time that he does get it, and he contacted our office, and we got in touch with the Army. Lo and behold, he not only deserves the Purple Heart, he turns out to be one of the last three surviving rangers who scaled the cliffs at Pointe du Hoc on D-day, which was one of the most daring and courageous acts of World War II. President Reagan talked about it in his 40th anniversary speech, "The Boys of Pointe du Hoc."

Last week in Memphis, the Army presented Bill Hoffman not only with his Purple Heart but with the Bronze Star and a "V" for valor, and they gave him a special ranger cap to go along with it. That was a good day.

I am here today to talk about another story, two extraordinary Tennesseans who are united by both their friendship and their courage—LCpl Franklin Namon Watson, who sacrificed his life for our freedom, and his devoted friend and mentor, Tennessee Highway Patrol Sergeant Lowell Russell, who is recovering from critical injuries he sustained while on duty.

LCpl Franklin Namon Watson, or "Frankie" to everyone who knew him in East Tennessee, enlisted in the U.S. Marine Corps Reserve in 2010. Last year, in September, at the age of 21, Frankie was killed while serving our country in Afghanistan, sweeping for improvised explosive devices in the Helmand Province.

Frankie, the son of Stacy Couch and Troy Watson, didn't shy away from difficult or dangerous work when he was back in Tennessee. He was a law enforcement officer in the police department of Madisonville in East Tennessee, just a few miles down the road from my hometown. The chief deputy of the Monroe County Sheriff's Department, Brian Graves, described Frankie as "very upbeat and focused on what he wanted to do." What he wanted to do was be a peacekeeper and a law enforcer. Family members say his dream was to join the Secret Service and protect the President.

Madam President, I will read from a letter to the editor of the Knoxville

News Sentinel written by a prominent Knoxville attorney, Billy Stokes. He wrote about the escort of Frankie's body, delivered by a small airplane to the National Guard base and transported by a six-person military detail to a hearse, which then traveled from the airport to Madisonville in East Tennessee. Billy was one of the several hundred motorcyclists who road behind the police cars. This is what he said:

All along the route were thousands of well-wishers, many holding American flags. Lots of them were veterans, proudly holding crisp salutes as the procession passed. A significant number of those folks were crying. As we got closer to Madisonville, many young men and women were obviously grief stricken. I suppose they were school friends of Watson's.

I saw thousands of East Tennesseans trying to honor and respect a young man who has given his all for this country. Watson was a wonderful young man by all accounts from those who knew him best.

I am an Army veteran but did not experience the horrors of combat. I do know that we have an all-volunteer force protecting our liberty and freedoms every day. I am so glad that we don't seem to take them for granted. I've never been prouder to be an American and an East Tennessean than I was that day.

Another law enforcement officer, Tennessee Highway Patrol Sergeant Lowell Russell, helped raise Frankie and was a devoted friend and mentor. Not long ago, Lowell talked with a member of my staff in Knoxville, Jane Chedester, and told her about Frankie. He said that Frankie's love of serving the Madisonville Police Department was great. He told her about Frankie's dedication to honoring his State and his country.

Then, in March, Sergeant Russell was critically injured in a collision on Interstate 40 in West Knoxville when a tractor trailer hit his squad car as he sat on the shoulder finishing up some paperwork after a traffic stop. Earlier this month Lowell was discharged from the University of Tennessee Medical Center to continue his recovery in a rehabilitation facility.

Lowell is beloved by his community. A Facebook page dedicated to "Prayers for Sergeant Lowell Russell" is filled with loving prayers for Lowell. They call him "a wonderful man." They talk about his "huge heart." One says that "Lowell has done so much for everyone else."

Numerous efforts are being made to raise money to help Russell and his family with expenses.

Tennessee's General Assembly passed a resolution to honor Lowell, noting his "immeasurable contributions to his community as a Tennessee Highway Patrolman . . . who exhibits superior standards of professional conduct and ethics." It also says that "Sergeant Russell is wholly committed to noble precepts of public service that have earned Tennessee recognition as the 'Volunteer State,' and he should be specially recognized for his courage and gallantry as an esteemed member of the local law enforcement."

I add my great appreciation for Lowell to that expressed by our Governor

and our general assembly. Honey and I pray for his strength in recovery and for strength for his family and friends during this very difficult time.

So Frankie Watson and Lowell Russell, we are proud of you. Find the good and praise it.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. I want to address the pending legislation before I go into a morning business speech—the Postal Reform Act that is before us. It is my understanding that we have an opportunity—

The ACTING PRESIDENT pro tempore. The Senate is currently considering the motion to proceed to the Violence Against Women Reauthorization Act.

Mr. DURBIN. Well, I renew my request to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### POSTAL REFORM

Mr. DURBIN. Madam President, coming before us soon on the Senate floor will be the Postal Reform Act. This is a matter which is timely because we understand our Postal Service is in a situation where it is currently losing millions of dollars every single day. Because many things have changed in America—the use of the Internet, e-mail, bill payer—fewer people are using the Postal Service. Less revenue is coming into the Postal Service. So they are trying to reconcile today's demands with the actual costs they face.

Several years ago we said to the Postal Service: We think the day will come soon when you will have more retirees than actual workers, so start banking money for retirement and health care for those who will need it in years to come. We set a number—about \$5 billion a year—and they kept up with it for several years but then found they couldn't meet that requirement. So the Postmaster General came through with a sweeping plan in terms of cutting costs to the Postal Service. I understand the imperative to do that, although I question the premise of his statement because this is one of the first things he said: We are going to change the Postal Service, and the first thing we will do is slow down delivery.

If there is ever a marketing technique designed to fail, it is the announcement you are going to slow down the delivery of your product. Yet that is what he said, and I am sorry he did.

So now we are in the predicament or situation where we are trying to find alternatives to the Postmaster General's proposals. We have been given until May 15. At a meeting in my office, which the Presiding Officer and

the Senator from Vermont and others attended, the Postmaster General said: Yes, I will give Congress its chance to pass a bill to save money that might be different than my own suggestions.

Well, now is our chance. Unfortunately, we are tied up on the floor of the Senate. That is not a headline because it happens to be the normal state of affairs in this body. But imagine, if you will, that Senator REID, the majority leader, comes to the floor and says: We have this important Postal Service reform bill before us, and I think we should move forward on it and we should consider amendments that are relevant to that subject. In other words, if you have an amendment that is about the Postal Service and how to make it better, save money, make it operate in the black, come forward with that amendment.

There was an objection from the junior Senator from Kentucky. He said, no; he thought the Postal Service reform bill should be used to debate foreign aid to Egypt—foreign aid to Egypt. Not that foreign aid to Egypt is not an important issue; it is. But here is an issue that is timely and important and affects every single American, where the Senate has a responsibility to step up and do its job, with a deadline looming of May 15, and one Senator has said: No, not unless I can bring to the floor whatever I want to bring.

It is his right to make that request, and he has bottled things up pretty handily at this point. I hope he will reconsider.

I wish we could take up this bill right now and have a debate on the floor of the Senate about an amendment. How about that—have people disagree and actually have a vote. It would be like the good old days in the Senate. But, no, we are lurching from quorum call to quorum call and cloture vote to cloture vote, and those newcomers to the Senate may wonder if there was ever a day we debated issues.

We need to get this postal reform right. It is one of the most important institutions in America. It is protected and embodied in the Constitution. There are hundreds of thousands of men and women who are serving us in the Postal Service, one-fourth of them veterans who have served our country and have gone to work for the government.

When we ask people across America which function of government do you respect the most, the Postal Service comes out on top because we know our local letter carriers. In my neighborhood it is David Lasley. David has been my buddy for 20 years. I have known him for that long or longer, and he is a friend of my family. He is not just the person who brings the mail. Others before him, the same way. It is a personal relationship with government that very few people have. But the letter carriers, the postal folks, the folks who do the processing and distributing are doing an important job.



The Postal Service has an amazing history. Just as a reminder, on May 7, 1833, there was a 24-year-old young man who was named postmaster general of a small town in central Illinois. It wasn't his last government job. The town was New Salem, IL, and the young man was Abraham Lincoln, who got his start in the Postal Service, which has a tradition that goes back even before then.

We need to work together on a bipartisan basis. I am glad Senator COLLINS and Senator LIEBERMAN are on the Senate floor. They have worked so closely together on a bipartisan basis to move us forward. Let's build a Postal Service that will serve us in the 21st century. Let's try to make certain we find new ways to cut costs that are reasonable, to enhance revenue that makes sense, and make certain in the process that we don't damage the brand. The U.S. Postal Service is the best in the world, the most affordable in the world, and we can make sure it continues to serve our Nation and our economy.

It is critically important to those of us who represent States with small towns. I know every small rural post office cannot survive—many of them have failed in the past—but we have to understand what a critical element that rural post office is to the culture of these communities, to the identity of these communities and, in some cases, to their very existence. So let's find flexible ways to reduce costs and still recognize that reality.

#### THE DREAM ACT

Madam President, 11 years ago I introduced the DREAM Act. At the time, Senator HATCH of Utah was my cosponsor. It was a bipartisan measure called to the floor of the Senate and, at one time, we had 12 Republican votes. The last time it was called we had 3. Unfortunately, over the years, it has not passed the Senate. I think it has received a majority every time we have called it but not the 60 votes which are now the norm in the Senate.

As a result, for 11 years I have been striving to change the law when it comes to immigration for a specifically small group of people. We are talking about people who came to the United States as children. They have been U.S. residents for a long period of time. They have good moral character. They have graduated from high school, and they are prepared to either serve in our military or to complete at least 2 years of college. This is a special group of people who, unfortunately, fall through the cracks in our current immigration laws.

I have met hundreds, maybe thousands of them now in the 10 years I have been working on this issue. I know they dream of the day when they will have a country. Currently, they do not; they are undocumented. The only country they have ever known is the United States, but they just can't go forward. When it comes to college or a university, they get no help from the government unless the State they live in has a special arrangement but cer-

tainly no help from the Federal Government.

When they finish school many of them can't be the teachers, nurses, engineers, or doctors they want to be because it requires citizenship, which they do not have. We are trying to give them that chance.

I have come to the floor time and time again to introduce some of these young people to America so they can put a face with a name to the DREAM Act. The person I want to speak about today is named Yaniv Steltzer.

Yaniv was brought to the United States by his parents from Israel when he was just 3 years old. This is a photograph of Yaniv. Today he is 25. He grew up in America. Like every other American child, he believes this is home. In 2010, he graduated from Richard Stockton College in New Jersey with a bachelor of science degree in hospitality and tourism management. In college, he was chair of the Jewish Student Union/Hillel Club and was an active volunteer with several other student groups.

Yaniv's dream is to open a restaurant. He wrote a letter to me, and here is what he said:

I fell in love with cooking in high school when I took a home-economics class and I knew this is what I wanted to do for the rest of my life. I would love to give back to America by opening my own restaurant, creating jobs, contributing to the economy, and becoming a citizen in the country I love.

Now, let me tell you Yaniv's challenge. He can't become a citizen. His father was born in the United States, but Yaniv was born in Israel, so he is not an American citizen. Yaniv's father applied for Yaniv to become a citizen, but because the process took so long he became ineligible. Under our immigration laws, once Yaniv turned 21 his father could not petition for him to become a citizen any longer.

So Yaniv has lived in this country since he was 3 years old, his father is an American citizen, and he is undocumented. The only solution for him is the DREAM Act.

Here is what Yaniv told me about his situation:

America is the only country I know. I grew up here, all my family and friends are here and everything I know is in America. The DREAM Act is important to me and many others like me who are in the same situation. We have the resources to help this country greatly, but don't have that piece of paper that allows us to do this. I have high hope and optimism that Congress will do the right and humane thing, put all political issues aside and pass the DREAM Act.

Yaniv is right. I ask my colleagues, would America be a better place if we deported Yaniv Steltzer? Of course not. This young man grew up in our country. He has overcome the odds to achieve great success. He doesn't have a criminal background or any problems that we should be concerned about. He is no threat to us. He would make America a better country, a stronger country if we just gave him a chance.

Yaniv is not an isolated example. There are thousands of others like him

around this country. Over the Easter break, I went out to Los Angeles and got a cab from the hotel to the airport. I looked at the cab driver's name and saw that his last name was Ark. I asked him: Where are you from?

He said: Take a guess.

So I said: France.

He said: No; I am from Belarus. My father was in the Soviet Army, and 15 years ago I came to the United States with my wife. She is a registered nurse, speaks English. I didn't speak a word of English when I got here, but I was able to come as a refugee from Belarus, which, of course, is where the last dictator in Europe presides—Lukashenko. He said: I came here and I started learning English. I just spoke Russian.

I asked: How in the world did you ever get a license to drive a cab?

He said: I had to work at it. I not only had to learn enough English to be able to have a successful business as a cab driver in Los Angeles, but I had to learn these streets and freeways and everything that came with it. He said: I did it, and now the son we brought as a citizen—my two kids—are now Americans, and 15 years later I own three cabs.

What a story. But it is not unique. It is the story of America, of people who said: I am sick and tired of where I am, and I have no chance here, but I know there is a place that will give me a chance. That was the story of my family. My mother was an immigrant to this country. I think it is the story of America.

So why do we, in this day and age, in the 21st century, have such a negative feeling about what immigration has brought, the diversity and strength it has brought to this country, and why can't we see the most fundamental question of justice when it comes to these children, these kids brought here as infants who only want a chance to do what this refugee from Belarus was able to do: make America a better place, build a life for himself, create a family that would be part of the American family.

I will continue this battle because I know all over the country there are people such as Yaniv Steltzer and many others who are waiting to see if the Senate can rise to this occasion, put politics aside, and do what is important for this country: show fairness, show justice, and give these young people a chance.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank Senator DURBIN for a moving statement and for his persistence in introducing the DREAM Act, which it has been my honor to cosponsor with him, among many others, and to support its passage. It is about basic fairness.

I think it also describes the reality, and the Senator reminded me of my own situation. We lived in my grandmother's house most of my childhood—

my mom, dad, sisters, and I—and she was always one of the most patriotic Americans I ever met because she had something to compare America to. She was an immigrant from Central Europe. Particularly important to her was freedom of religion, and the respect she got from her neighbors for her religious observance, and, of course, the dream that her children and grandchildren would do better in this country, which was realized.

But I was moved by the Senator's report of his conversation with the cab driver. Maybe all of us need to do that. But when I get the immigrant cab drivers and they are a little older, I always ask: What are your kids doing? And it is quite amazing because they have the kind of excitement and sense of gratitude about the opportunity that America provides that sometimes people who have been here for a while, unfortunately, may lose. Their kids are all working hard, achieving, and contributing to this country.

We are at a time in our history where a lot of people are down about their future and down about America, which was never the case when the Senator and I were growing up—and I started growing up a little before the Senator from Illinois.

But when we think about these stories, it makes one feel good about how unique this country is. I know, because illegal immigration—people may take what I am about to say the wrong way. But I always say one of the great market measurements of the greatness of America today is that there is not another country in the world that more people are trying to get into—legally, I am talking about—and fewer people are trying to get out of than the United States of America. I think the DREAM Act recognizes that reality and is totally consistent with the values of our country.

I thank the Senator for his persistence. One day, I hope not too far from now, we are going to get that adopted into law.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

#### VIOLENCE AGAINST WOMEN ACT

Mrs. GILLIBRAND. Mr. President, I rise to join a strong and growing group of my colleagues in support of the Violence Against Women Act, a commonsense bill that since it was first signed into law has always been an issue we could build a consensus around, both Democrats and Republicans alike. The reason for this is quite simple.

There is no room for tolerance of violence against women in the home anywhere in our society, and when we are talking about the safety of our families, there is simply no space for partisanship. That is why I am calling on my colleagues to not seek to block or delay this important piece of legislation any further. To do so is a disservice to the families so deeply affected by domestic violence every single day.

Anyone who is guilty of domestic abuse should be held accountable to the fullest extent of the law. Any victim of abuse should be empowered to speak out and to have access to help and support. Keeping women and families safe is a basic commonsense principle and one we have easily found agreement on since the bill was first passed, and we should be able to again agree on it today.

Every day an average of three women are murdered by a husband, a boyfriend, a partner. Every single day 600 women are raped or sexually assaulted. Millions of women and families rely on the help and support that the Violence Against Women Act provides to keep them safe. It is outrageous to turn the Violence Against Women Act into a political circus. When we allow ourselves to get bogged down in politics as usual, we are telling women and families across the country that their safety can wait for the next election.

Let's do better. Let's be better. Let's agree that women deserve access to basic justice and basic safety, and let's show the American people that we, as a body, can do what is right.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### POSTAL SERVICE REFORM

Mr. SANDERS. Mr. President, let me begin by once again thanking Senator LIEBERMAN and Senator CARPER and Senators COLLINS and BROWN for their long and hard work on this issue, which is of enormous consequence to the American people.

Sometimes what people inside the beltway perceive as opposed to what people outside the beltway perceive are two different worlds. I can tell you that back in Vermont—and I suspect in rural areas and States all over this country—people want to save the post office. They know how important it is for small businesses, for our economy, and for their own needs. So the issue we are dealing with is a very significant issue, and I hope that as a Senate we can show America that we can come together regardless of political ideology. This is not a progressive issue, a conservative issue, Republican, Democratic or Independent. This is an issue that impacts tens of millions of Americans, and I hope we can move together as we should.

I wish to say a few words on the Postal Service and finances today. Everybody knows the Postal Service is, in fact, facing significant financial difficulties. Revenue at the Postal Service has gone down from about \$75 billion in 2008 to \$66 billion last year. In the midst of the digital revolution, first-class mail has gone down signifi-

cantly—no debate about that—and it has been replaced and will continue to be replaced by e-mail usage and the Internet. There is no question but that this is a real issue that has to be addressed.

But let me be very clear that in terms of the revenue problems facing the Postal Service, the major problems we have are not just the decline in first-class mail. It is an issue that happens not to be the major issue. The major issue, in fact, is that the Postal Service has seen a significant loss in mail volume and revenue due to the most severe recession our country has faced since the 1930s. As the Postal Service indicated on May 30, 2010, "The effects of the recession account for two-thirds of the mail volume decline."

The first point we want to understand is, yes, decline of first-class mail is a real issue. But second of all, similar to businesses all over this country, revenue is being impacted by the recession. How we can get our country out of the recession, create more jobs, put more money into the hands of working people is, of course, a major issue we must address.

In that regard, I do wish to say that in the middle of this terrible recession, when real unemployment—real unemployment; it is not 8.2 percent but, in fact, is closer to 15 percent, counting those people who have given up looking for work, those people working part time—it would seem to me this body wants to do everything we can not to see 200,000 jobs slashed at the U.S. Postal Service, many of them decent-paying jobs, many of them union jobs.

We may not be able to save every one of those jobs; we want the Postal Service to be efficient. But on the other hand, I would hope we see as a significant priority that in the midst of a recession, we do not want to downsize a major American institution by 200,000 jobs—many of them, by the way, jobs belonging to veterans.

A couple months ago there was a whole lot of debate about how do we create jobs for veterans. I can tell you one thing we don't do is downsize the Postal Service by 200,000 workers, many of them being veterans.

We talked about the decline in first-class mail being important. We talked about the recession being important. But I wish to raise another issue that I think many people are not familiar with and that has nothing to do with first-class mail, nothing to do with the recession or, in fact, e-mail or the Internet; that is, to a very significant degree, the major reason the Postal Service has been running a deficit since 2007 is due to accounting issues.

For example, everybody has to understand this issue if we are going to have an open and honest debate about the future of the Postal Service: Due to a law passed in 2006, the U.S. Postal Service—uniquely in America, uniquely within government, Federal, State, local, uniquely in terms of the private sector—has been forced to prefund 75

years' worth of future retiree health benefits in just 10 years—seventy-five years' worth of future retiree health benefits in just 10 years. There is no other agency of government that comes close to that onerous requirement, nor are there any companies in the private sector that have been asked to do that. This mandate costs the U.S. Postal Service between \$5.4 billion and \$5.8 billion per year.

So what I beg of my colleagues is when they look at the financial problems facing the Postal Service—which are real—do not forget that, because of this 2006 legislation, the Postal Service needs to come up with approximately \$5.5 billion every single year to prefund retiree health care. This is an important point, and I hope my fellow colleagues in the Senate are listening. One hundred percent of the Postal Service's \$20 billion debt from 2007 to 2010 is the result of this prefunding mandate. Let me repeat it. One hundred percent of the Postal Service's \$20 billion debt from 2007 to 2010 is the result of this \$5.5 billion per year prefunding mandate. Without this mandate, the Postal Service would have made a \$700 million profit from 2007 to 2010.

Let me repeat that, because these are facts that have not often been introduced into this debate. We have folks coming up here who are saying the Postal Service is collapsing financially and so forth and so on. But it is important to understand the facts, and the facts are that despite the worst recession—which we are currently in—since the 1930s, despite the competition from e-mail and the Internet, the Postal Service would have made a \$700 million profit from 2007 to 2010 if it was not forced to prefund future retiree health benefits.

In addition—and I hope people listen to this as well—during the first quarter of 2012, a few months ago, the U.S. Postal Service would have generated a \$200 million profit had it not been required to prefund its future retiree health benefits.

I think as we debate these issues about the future of the post office, it is absolutely imperative that we understand the role of the \$5.5 billion every single year that the Postal Service has to come up with to prefund retiree health benefits.

A few months ago I asked the Inspector General of the Postal Service, whose name is David Williams, David C. Williams—he is the Inspector General of the Postal Service—I asked him to talk a little bit about what this prefunding of health benefits meant. I ask unanimous consent to have printed in the RECORD a copy of his letter, which is dated February 6, 2012.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF INSPECTOR GENERAL,  
UNITED STATES POSTAL SERVICE,  
February 6, 2012,

Senator BERNIE SANDERS  
*Dirksen Building, U.S. Senate,  
Washington, DC.*

DEAR SENATOR SANDERS: For several days last week, I met with you and your staff to discuss solutions to the current financial crisis within the Postal Service. At the conclusion of those discussions, you requested that our office focus on one of the solutions that we presented which examined an option to address the current benefit fund financing. This proposal would eliminate the requirement for the Postal Service to make annual \$5.5 billion payments into its retiree health benefit fund, and allow the \$44 billion currently in the fund to grow with interest. No payments would be made from the fund until it is deemed to be fully funded, and the Postal Service would continue to directly pay the healthcare premiums for retirees. An additional element of the proposal would allow current overpayments of \$13.1 billion in the Postal Service pension funds to be refunded to the Postal Service. Any future overpayments would also be refunded in the year of occurrence.

Our analysis of this proposal shows that if it were adopted, the amounts in retiree healthcare fund would grow from \$44 billion to the \$90 billion estimated current liability, in 21 years. This \$90 billion projected liability is not a static or precise figure, as there are forces that will increase and decrease the liability. Historically, the figure has risen, but we note that the \$90 billion has not changed significantly over the last 3 years (\$87 billion in 2009, \$91 billion in 2010, and \$90 billion in 2011).

This solution is one option to provide needed short-term flexibility for the Postal Service to address its current financial crisis. It would alleviate payments due of nearly \$30 billion over the next 4 years, and provide an additional \$13 billion to address current needs. Though this would provide substantial relief, additional actions would be necessary to address remaining financial gaps between projected revenues and expenses during the next four year period.

To put the pension and retiree health funding issue into perspective, my office has conducted benchmarking to evaluate the Postal Service's prefunding levels as compared to both the public and private sector. The Postal Service has 2 significantly exceeded pension and retiree healthcare benchmarked funding levels of both public and private sector organizations. Using ratepayer funds, it has built a war chest of over \$326 billion to address its future liabilities, prefunding combined pension and retiree healthcare obligations at 91 percent. This is an astonishingly high figure for a company with such a large employee base.

For example, the Postal Service is currently over 100 percent funded in its pension funds. The federal government is funded at a much lower 42 percent level, and the military is funded at 27 percent. The average Fortune 1000 pension plan is funded at 80 percent, and only 6 percent of the Fortune 1000 companies have pension plans that are 100 percent funded.

Prefunding retiree healthcare is rare in the public and private sectors. We have been unable to locate any organization, either public or private, that has anything similar to the Postal Service's required level of prefunding of retiree healthcare benefits. The Postal Service is currently funded at 49 percent of its estimated current liability. The federal government does not prefund its retiree healthcare liabilities at all, and the military is funded at a 35 percent level. Only 38 percent of Fortune 1000 companies who offer re-

tiree health care benefits prefund the expense at all, and the median funding level for those organizations is 37 percent.

I appreciate the opportunity to analyze this proposal, and describe it further. If you have any questions, please do not hesitate to call me or Wally Olihovik.

Sincerely,

DAVID C. WILLIAMS,  
*Inspector General.*

Mr. SANDERS. If I might, because I think this is an important letter, I wish to report a significant part of it. I hope people appreciate what the Inspector General of the U.S. Postal Service is saying. This is a guy who knows something about the Postal Service. This is a letter to me.

Dear Senator Sanders:

For several days last week I met with you and your staff to discuss solutions to the current financial crisis within the Postal Service. At the conclusion of those discussions you requested our office focus on one of the solutions that we presented, which examined an option to address the current benefit fund financing. This proposal would eliminate the requirement for the Postal Service to make annual \$5.5 billion payments into its retiree health benefit fund, and allow the \$44 billion currently in the fund—

Let me talk about that. There is right now, as a result of these funding payments, \$44 billion currently in the fund—“to grow with interest.”

What he is saying here, what happens if you have \$44 billion and it accrues, as it does, interest between 3 and 4 percent a year. Then he continues. If you did that:

No payments would be made from the fund until it is deemed to be fully funded, and the Postal Service would continue to directly pay for the health care premiums for retirees. An additional element of the proposal would allow current overpayments of \$13.1 billion in the Postal Service pension funds to be funded to the Postal Service.

This is also a point that has not been discussed at all. In fact, we do address it in the current legislation. That is, not only is the Postal Service being asked to come up with an onerous \$5.5 billion a year to prefund future retiree health benefits, it is generally acknowledged—I think by everybody who has studied the issue—that the Postal Service has made overpayments of \$13.1 billion into the Federal Employees Retirement System and the Civil Service Retirement System, adding those two together. This is what he said, the Inspector General of the U.S. Postal Service:

Our analysis of this proposal shows that if it were adopted, the amounts in retiree healthcare fund would grow from \$44 billion to the \$90 billion estimated current liability in 21 years. This \$90 billion protected liability is not a static or precise figure—

It varies a little bit is what he is saying—but essentially he says that if you don't add another nickel into the \$44 billion, it will grow to \$90 billion in 21 years and essentially take care of the payments it has to take care of.

The point I want to make clear is that in terms of future retiree health benefits, we already have \$44 billion in the account. In my view and in the view of people who know more about

this issue than I do, it is not necessary to put more money into that account. That is an issue that this legislation attempts to address.

Let me conclude by saying the issue we are dealing with is of enormous consequence to our country. It is imperative, in my view, that we not shut down 3,700 rural post offices. I commend the Postmaster General. We have been working with him and he has moved away from that position. In my view, we have to do everything we can to make sure that we maintain very high standards for mail delivery in this country. So when a business puts a package in the mail, they know it will be delivered in a reasonable time. That is one of the strengths of the Postal Service. In my view, we do not want to shut down, as in the Postmaster General's original proposal, half the processing plants in this country which would slow down mail delivery service. In my view, we do not want to end Saturday mail. I think it is an important part of maintaining mail delivery standards.

But the main point I want to make today is, yes, the Postal Service faces financial problems. But not to understand the significant role—the causation of those problems that are a result of the \$5.5 billion in prehealth funding for retirees—is to miss a very significant part of this debate. I think it is fair to say in this bill we are beginning to address that issue and also address the issue of the overpayment from the Postal Service to the Federal Employees Retirement System.

Let me conclude by thanking Senators LIEBERMAN, COLLINS, CARPER, and BROWN for the work they have done. I hope we can have an intelligent and constructive and kind of nonpartisan discussion as we go forward, with good amendments that are relevant, from both sides of the aisle.

The bottom line is that saving the Postal Service is enormously important for our economy and certainly for the tens of thousands of workers who are out there every day doing a great job for us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank the Senator from Vermont for his statement but more broadly for his real steadfastness and the hard work he has done to improve the bill. It has been a pleasure to work with him.

Before Senator COLLINS came to the floor, and not counting the occupant of the chair, I was reveling in the fact that the only Senators on the floor were Independents.

Anyway, I thank Senator SANDERS. We have tried to deal with this problem. In the postal reform of 2006, Senator SANDERS is quite right, for various reasons which we need not go into the Postal Service was required to make payments into the retiree health benefit fund that were beyond what most any business or other governmental en-

tity is doing, more than was necessary to sustain the payments and in a much shorter period of time, as the Senator from Vermont said.

I would say, to state it as bluntly as I can, maybe too bluntly, the people advocating this were, frankly, concerned that the Postal Service might get to a point where it defaulted, it was no longer able to operate, and then the fear was that the government, the U.S. Treasury, the taxpayers would at some point in the future be forced to pick up the cost of the retiree health benefits. So this uniquely demanding responsibility for payment now was put on the Postal Service.

I think everybody agrees, particularly in light of all the real problems the Postal Service has now, that is not sensible or fair. I do want to point out that in the underlying bill, S. 1789, we have attempted to ease the Postal Service's prefunding requirements for retiree health benefits by immediately beginning a stretched-out 40-year amortization schedule for these payments and we require the Office of Personnel Management, when determining how much the Postal Service has to put into the retiree health benefit fund every year, to use the same discount rate that is used to calculate the Federal Government's pension obligations to the Federal Employees Retirement System and the Civil Service Retirement System. The Postal Service thinks this accounting change will reduce their unfunded liability for the retiree health benefits plan by literally billions of dollars.

The other change made here is that right now the health benefits of retired employees come out of the operating expenses of the Postal Service. That was going to be the case until a day later in this decade. But there is enough money in the fund that it can pick up money that the Postal Service has put in, that it can pick up the cost of health benefits for postal retirees now. So we require that. I want to state for the record we are trying to deal with that reality in the bill as it is and of course I state my intention to continue to work with Senator SANDERS to make this bill as good as we can, both in accomplishing the purposes we all have, which is to keep the Postal Service alive and well because so many people depend on it, and to do so in a much more fiscally responsible way, in every way in which that term might be understood, including the fairness of payments under the retiree health benefits plan, than has been the case before.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I, too, want to comment on this issue of the prefunding for the health care benefits of future retirees. I think it is important to note that when the 2006 law was written, the Postal Service supported this provision because it recognized that it had a huge unfunded liability

for future health benefits and it knew it was important to start putting money aside to ensure that at the time those retirees needed to claim those benefits, the money would be there and the promises would be kept.

It was also important because we wanted to avoid the possibility of a system going into default and taxpayers having to step in to keep the promises the Postal Service has made.

The fact is the current liability is about \$46 billion for those retiree health benefits, the future retiree health benefits. That liability is a very real one. It is not going away. Nevertheless, we have taken steps in our bill, as Senator LIEBERMAN has described, to ease the funding by setting up a 40-year amortization schedule and by changing the discount rate. So those two provisions should save the Postal Service approximately \$2 billion—the exact number would be determined—each year, and that is obviously very welcome.

But I do want to address what I believe is another misconception, and that is that the funding for future retirees' health benefits is somehow the cause of the Postal Service's financial crisis. It is not. The fact is that the Postal Service has not made its payment of \$5.5 billion that was due to this fund in either of the last 2 fiscal years. Yet the Postal Service lost billions in both of those years, despite not paying the \$5.5 billion that was due to this fund. In total, the Postal Service has made only \$6.9 billion of the \$16.4 billion that was required in prefunding payments for the past 3 years, but has posted losses, total losses for those 3 years of \$26.9 billion. So it is certainly true that we can and should ease the funding requirement in light of the problems of the Postal Service. It is also true that we don't need to fund to 100 percent, which the 2006 law requires. If my memory serves me correctly, I believe we have lowered the funding level to 80 percent. Those provisions all have a substantial impact on lowering the annual payment.

I have two final points I want to reiterate. The prefunding requirement is not the cause of the Postal Service's financial crisis; and second, that \$46 billion liability is very real and it is not going away. Indeed, stretching out the amortization schedule, which I believe we should do, is going to actually cause that liability to increase because we will be paying it over a longer period of time.

Nevertheless, I think the changes that have been made in the funding for future retirees' health benefits make sense. I think they are financially responsible and they will provide some needed relief to the Postal Service without exposing taxpayers to the possibility of having to pick up the tab and without breaking the promise that has been made to postal employees.

Thank you, Mr. President.

Mr. LIEBERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

A SECOND OPINION

Mr. BARRASSO. Mr. President, this being tax week, people all around the country are sending in their tax returns. The deadline just passed yesterday—April 17—so people are focused a lot on what happens in Washington. They think about the IRS. They think about the money being sent and how that money is being spent. As people pay their annual tax bills, I wish to remind Americans about how the Obama administration is actually spending tax dollars on the President's unpopular health care law. That is why I come to the floor, as I have every week since the health care law passed, with a doctor's second opinion about the health care law.

I said at the time it was passed that there would be some new revelation, some unintended consequence, something new that people would learn week after week. As someone who has practiced medicine for almost a quarter of a century taking care of families in Wyoming, I wanted to offer a doctor's second opinion, because I felt from the beginning that in spite of the many promises the President made, the bill that was actually passed and signed into law is one that is bad for patients, bad for providers—the nurses and the doctors who take care of those patients—and terrible for taxpayers.

So I come to the floor because it seems to me that instead of using much of the money to improve medical care in America, this administration is devoting hundreds of millions of dollars to what—the Internal Revenue Service. In fact, The Hill newspaper reported on April 9 of this year that the Obama administration is quietly sending an additional \$500 million to the IRS—the Internal Revenue Service. The headline is: "Obama administration diverts \$500M to IRS to implement healthcare reform law."

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Hill, Apr. 9, 2012]

OBAMA ADMINISTRATION DIVERTS \$500M TO IRS TO IMPLEMENT HEALTHCARE REFORM LAW  
(By Sam Baker)

The Obama administration is quietly diverting roughly \$500 million to the IRS to help implement the president's healthcare law.

The money is only part of the IRS's total implementation spending, and it is being provided outside the normal appropriations process. The tax agency is responsible for several key provisions of the new law, including the unpopular individual mandate.

Republican lawmakers have tried to cut off funding to implement the healthcare law, at least until after the Supreme Court decides whether to strike it down. That ruling is expected by June, and oral arguments last week indicated the justices might well overturn at least the individual mandate, if not the whole law.

"While President Obama and his Senate allies continue to spend more tax dollars implementing an unpopular and unworkable law that may very well be struck down as unconstitutional in a matter of months, I'll continue to stand with the American people who want to repeal this law and replace it with something that will actually address the cost of healthcare," said Rep. Denny Rehberg (R-Mont.), who chairs the House Appropriations subcommittee for healthcare and is in a closely contested Senate race this year.

The Obama administration has plowed ahead despite the legal and political challenges.

It has moved aggressively to get important policies in place. And, according to a review of budget documents and figures provided by congressional staff, the administration is also burning through implementation funding provided in the healthcare law.

The law contains dozens of targeted appropriations to implement specific provisions. It also gave the Department of Health and Human Services (HHS) a \$1 billion implementation fund, to use as it sees fit. Republicans have called it a "slush fund."

HHS plans to drain the entire fund by September—before the presidential election, and more than a year before most of the healthcare law takes effect. Roughly half of that money will ultimately go to the IRS.

HHS has transferred almost \$200 million to the IRS over the past two years and plans to transfer more than \$300 million this year, according to figures provided by a congressional aide.

The Government Accountability Office has said the transfers are perfectly legal and consistent with how agencies have used general implementation funds in the past. The \$1 billion fund was set aside for "federal" implementation activities, the GAO said, and can therefore be used by any agency—not just HHS, where the money is housed.

Still, significant transfers to the IRS and other agencies leave less money for HHS, and the department needs to draw on the \$1 billion fund for some of its biggest tasks.

The healthcare law directs HHS to set up a federal insurance exchange—a new marketplace for individuals and small businesses to buy coverage—in any state that doesn't establish its own. But it didn't provide any money for the federal exchange, forcing HHS to cobble together funding by using some of the \$1 billion fund and steering money away from other accounts.

The transfers also allow the IRS to make the healthcare law a smaller part of its public budget figures. For example, the tax agency requested \$8 million next year to implement the individual mandate, and said the money would not pay for any new employees.

An IRS spokeswoman would not say how much money has been spent so far implementing the individual mandate.

Republicans charged during the legislative debate over healthcare that the IRS would be hiring hundreds of new agents to enforce the mandate and throwing people in jail because they don't have insurance.

However, the mandate is just one part of the IRS's responsibilities.

The healthcare law includes a slew of new taxes and fees, some of which are already in effect. The tax agency wants to hire more than 300 new employees next year to cover those tax changes, such as the new fees on drug companies and insurance policies.

The IRS will also administer the most expensive piece of the new law—subsidies to help low-income people pay for insurance, which are structured as tax credits. The agency asked Congress to fund another 537 new employees dedicated to administering the new subsidies.

The Republican-led House last year passed an amendment, 246-182, sponsored by Rep. Joe Ann Emerson (R-Mo.) that would have prevented the IRS from hiring new personnel or initiating any other measures to mandate that people purchase health insurance. The measure, strongly opposed by the Obama administration, was subsequently dropped from a larger bill that averted a government shutdown.

Mr. BARRASSO. This money is transferred outside the normal appropriations process. That is a concern. The money is transferred outside the normal appropriations process. It goes to the very tax agency that is responsible for implementing many of the key provisions of the health care law. One would think that maybe we would have doctors and nurses implementing many of the provisions of the health care law. No, we have the IRS. This includes the controversial and unprecedented mandate that all Americans must buy a government-approved product—health insurance.

We remember the Supreme Court just held hearings on this unprecedented mandate. Seventy percent of Americans believe it is unconstitutional. They believe that either part or all of the health care law ought to be ruled unconstitutional. Yet the article says that the Obama administration's Health and Human Services Department has, to date, transferred almost \$200 million to the IRS over the past 2 years and plans to send another \$300 million this year. These secretive transfers hide the true cost of the health care law. They also make it difficult for Congress to perform the agency oversight that is part of our obligation.

So I look at this and I say this law is bad. It is bad, I believe, for our patients and providers and taxpayers. I look at the way it has been structured and the way this money is being transferred and I think it highlights the problems with the law. What does the IRS intend to do? They want to hire more than 300 new employees next year to implement the Tax Code changes, such as the taxes imposed on drug companies, device manufacturers, and health insurers. This bill is a laundry list of taxes and fees. The IRS also has to implement and monitor the laws of the priciest component—the exchange subsidies. For this, the IRS is asking Congress to fund another 537 new employees dedicated to administering just the subsidies.

Last week Ways and Means Committee Chairman CAMP sent a letter to

the IRS Commissioner asking that the Commissioner provide specific details about these reports.

Chairman CAMP specifically asked the IRS Commissioner to tell the committee how many employees are being hired and which tax increases the agents will be working on. The American people deserve to know how their dollars are being spent, where these tax dollars are being used, what the IRS is doing with the money. They deserve to know because the health care law actually increases the IRS's power to insert itself into the American people's lives.

How is it the health care law increases the IRS's power to insert itself into Americans' lives? By, one, having the IRS verify that Americans have acceptable government-approved insurance; also by having the IRS penalize Americans if they do not have acceptable government-approved insurance; also by having the IRS confiscate Americans' tax refund dollars if they do not have government-approved insurance; and, finally, by having the IRS have additional power in terms of auditing our American citizens' lives.

This is all included in the health care law. This is not health care reform. The IRS should never be allowed to intrude into the private health care decisions of the American people. The American people deserve to know how this alleged \$500 million transfer is being spent and how many additional IRS agents will be hired to investigate their private health care decisions.

When Americans send their hard-earned dollars to Washington, they want to make sure their money is being spent wisely. The American people want to know they are getting value for their tax dollars. They do not want their dollars to create more bureaucracy and further invade their privacy.

So I come to the floor, as I have over the last couple years since the health care law has been passed, with a doctor's second opinion. This health care law did not provide the American people with what they wanted, which was the care they need, from a doctor they want, at a price they can afford. Instead, what they are seeing is the President's promises have been broken.

The President promised if someone likes their care, they can keep it. We now know that is not going to be true for many Americans. The President promised health care costs would actually go down instead of going up and he told Congress and he told others the health care insurance costs would drop \$2,500 per family. Instead, what families across the country have seen is that their health care premiums have gone up by about \$2,100 a year since the health care law has gone into effect, rather than going down. So we hear the President's promises and we see the reality on the ground.

When I travel Wyoming and talk to folks and ask: How many of you believe under the health care law your own costs—your own costs—are going to go

up, despite the President's promises they are going to go down, every hand goes up. When I ask the question: How many of you believe the quality of your own care—which is what people are concerned about: their own care, their own family—how many of you believe the quality of your own care will go down, again, every hand goes up. That is not what Americans want: paying more and getting less. That is why it is time to repeal and replace this terrible health care law.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### POSTAL SERVICE REFORM

Mr. TESTER. Mr. President, I rise to discuss this postal reform bill. The Postal Service keeps rural America connected. It helps Montana seniors receive everyday necessities such as medicines, it allows our small businesses to conduct business, and it even makes sure our election ballots get counted on time. That is why this reform bill is so critically important all across rural America.

First, I wish to thank my colleagues on the committee for their hard work on the substitute amendment to the postal reform bill. I want them to know how much I appreciate their efforts to work across the aisle with my colleagues and me to address several of our concerns with this bill. This bill has come a long way from the version I opposed in committee. But there is still a lot of work that needs to be done to make sure it works for rural America.

I have been working for several months on some changes, such as preserving the requirement for overnight delivery and providing better protection for rural communities that could lose their post offices. But we need to go further to find more ways to keep rural post offices open and functioning. That is why Senator FRANKEN and Senator LEVIN and I have submitted an amendment to prevent the Postal Service from closing a post office if it leaves rural communities without sufficient access to Postal Services, from buying stamps to regular mail service.

Our amendment gives the Postal Regulatory Commission more teeth in being able to reject the Postal Service's efforts to close post offices and mail processing facilities if the Postal Service does not follow the criteria laid out in the bill.

The Postmaster General is seeking to close around 3,700 post offices and over 200 mail processing facilities in this country.

This bill will result in the reduction of another 100,000 postal employees. It will rewrite the rules of workers' com-

ensation across the entire Federal Government. In short, it will change the lives of many people—to say nothing of the millions of Americans who will be impacted by a change in mail service.

With this in mind, I think it is critically important that the upper management at the Postal Service and the Board of Governors lead by example. That is why I am offering an amendment to reduce the number of Governors on the Postal Board of Governors from nine to seven. The Board is currently not at capacity, and it should be encouraged to work with the six Governors who presently sit on the Board.

Governors receive compensation for expenses and a stipend of about \$30,000 a year, with total compensation up to about \$42,600. It seems like a small savings. However, reducing up to \$80,000 a year by cutting two positions could save three post offices in my State: For example, in Dupuyer or Wyola or Coffee Creek.

We need to make sure everyone is tightening their belts, not just the folks who depend on mail service or the employees who will be forced into retirement or laid off over the next few years.

My final amendment limits the six most senior postal executives—including the Postmaster General—to a base salary of not more than \$200,000, which is what a Cabinet Secretary makes.

I know there are some folks who think the Postal Service should be a private enterprise and that the pay of the postal executives should reflect that. But the reality is, the Postal Service is a public service. It is right there in the Constitution that the Congress has the power to establish post offices. You cannot get much more public than that.

Again, the savings from this amendment may seem like a drop in the bucket, but saving just \$200,000 a year in reduced executive compensation is the same savings we would get from the closure of the mail processing centers in Helena, Montana's State capital, and Havre, an important town in north-central Montana.

To me, the choice is simple. If the Postal Service is out of money and painful cuts have to be made, they need to be felt up at the top as much as at the bottom.

I hope we get a chance to consider these amendments. They are relevant to the bill. This is a debate that is long overdue. It is time to have a serious debate in the Senate about what we want the Postal Service to look like. That is why I voted to begin the debate on a bill I cannot support yet. I want to get to the point where we have a bill that is going to save the Postal Service and not lead to its dismantling.

So let's have the debate, let's look at amendments, and let's start voting.

I'd like to add one additional point that is of critical importance to rural America.

I have expressed my concern that the Postal Service is rushing to close rural post offices, and I have asked the Postmaster General to find alternatives to this effort.

Many people aren't aware that, in rural America, nearly 90 percent of postal facilities are owned by private parties and leased to the Postal Service, rather than the Postal Service owning those facilities itself. Across the nation as a whole the Postal Service leases more than one-third of its facilities.

Without the Postal leasing program, the Postal Service would not be able to meet its mandate of universal service. It would not be able to provide mail service to huge swaths of our nation in rural America. By partnering with the private sector, the Postal Service has facilities and provides service without the enormous expense of constructing, owning and maintaining its own buildings.

More than 40 of the postal facilities in Montana are leased by the Postal Service. In all, more than 3,000 private property owners lease facilities to the USPS across America. Without the Postal leasing program, the infrastructure to serve many parts of America either would simply not exist or would require massive expenditures on building facilities that the Postal Service cannot afford.

As the Postal Service explores options about the future of rural post offices across America, I urge it to look carefully at the leasing program and to realize the role it plays in saving money and providing universal mail service. Both of those roles are critically important. So as we make the tough choices about the how we can preserve rural post offices, I hope that the Postal Service will continue to consider the leasing program as part of its future.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RESTORE ACT

Mr. WICKER. Mr. President, this week marks the somber anniversary 2 years ago, on Friday, April 20, 2010, of an explosion on the Deepwater Horizon oilrig in the Gulf of Mexico which took 11 lives and triggered the worst oilspill in American history. We still remember the families of those who were lost and those who were injured on that fateful day. We are forever grateful to

the thousands of volunteers and relief workers from all over the world who responded in the wake of this disaster.

In Mississippi, like other Gulf States, the BP oilspill caused immeasurable damage not only on the shoreline but also to all sectors of our economy. Misperceptions of tainted seafood and oil-covered beaches devastated our seafood and tourism industries. Local businesses already challenged by a difficult economy were crippled by the disruption in market demand.

The moratorium that the Obama administration put on drilling cost our economy critical jobs related to domestic energy production and its associated support industries. The administration's delays on drilling permits are still stalling job creation along the gulf coast.

Many of my colleagues and I have come to the floor in recent weeks to talk about a better energy policy, specifically to offer solutions to lower gas prices. The administration's slowdown of domestic energy production keeps us dependent on foreign energy providers, ultimately hurting Americans at the pump.

There is no doubt that the residents of Mississippi and other Gulf States are resilient and have persevered through unprecedented circumstances. But there is work left to do. I urge all of my colleagues to remain committed to the coast's full recovery. I applaud the Senate's recent bipartisan passage of the RESTORE Act as part of the Transportation bill. It is imperative that coastal communities have the resources they need to rebuild and revitalize.

Under the provisions of the RESTORE Act, local officials will have the ability to prioritize the economic and ecological projects that are most critical to their own recovery. Local communities are in the best position to make these decisions, and needless government redtape should not stand in the way. Directly distributing Clean Water Act fines would ensure that the affected parties are compensated accordingly.

The RESTORE Act is an encouraging step forward for all Gulf Coast States.

I urge the House of Representatives to show the same support for the gulf coast in passing this important piece of legislation. Both parties can agree that the revitalization of our Gulf States is a priority and that providing local perspectives is vital to our recovery efforts. The disaster that occurred 2 years ago was an extraordinary tragedy with long-term consequences, and we cannot forget about the needs that persist.

The gulf coast provides one-third of the seafood harvested in the continental United States. The gulf coast is home to 6 of our country's 10 largest commercial ports. Mississippi and all Gulf States make up a vibrant part of this country, and the residents and businesses there are key contributors to the national economy.

There is no doubt that keeping our gulf strong is vital to our national interest, and part of that would be the passage of the RESTORE Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, I concur with my friend from Mississippi on the importance of passing the RESTORE Act. It is in our transportation reauthorization bill, and it is an important part. It not only helps the Gulf States but all the States that border oceans in this country. It is an important part of the bill that we worked out in a consensus manner in the Senate.

I take this time and ask unanimous consent that I may speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SURFACE TRANSPORTATION ACT

Mr. CARDIN. Mr. President, we need to pass a long-term transportation reauthorization bill. The Senate has done this. The Senate passed its bill 2 months ago by a very strong margin of 74 to 22. I call it a consensus bill and not a bipartisan bill, because we went beyond bipartisan. This bill came out of the two committees of jurisdiction, the Banking Committee and the Environment and Public Works Committee, by a unanimous vote. The Finance Committee dealt with the financing provisions.

This bill gives us predictability in transportation funding. Here is the problem: The other body, the House, is currently working on a bill that would basically be a short-term extension of our transportation program. We need a long-term commitment as to the Federal partnership in transportation. We need that for many reasons. We need it for predictable funding so our local governments can commit to do the types of transportation programs that are necessary for our safety, necessary for economic expansion, and necessary for our communities.

We are missing the construction season by the failure to enact a long-term transportation reauthorization plan. Major projects cannot be planned—whether it is to replace a bridge, major maintenance programs, new highways, or expansion of our transit systems.

This translates into jobs. We are in a recovery. We all want to do everything we can to maintain and expand job opportunities in this country so our economy can recover at a quicker pace. The transportation reauthorization bill that passed the Senate is responsible for 3 million jobs.

In my State of Maryland, 28,700 jobs are connected to the passage of the transportation reauthorization program—21,000 in highways and over 7,000 in transit.

The Senate bill, as I pointed out, was a consensus bill. It was done in the finest manner of legislating. I compliment Senators BOXER and INHOFE on the Environment and Public Works Committee, on which I serve, for marshaling this bill through. There were