

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of New Mexico.) Without objection, it is so ordered.

SURFACE TRANSPORTATION ACT

Mrs. SHAHEEN. Mr. President, 42 days ago—that is more than 1,000 hours—42 days ago, 74 Senators from this Chamber voted to pass a badly needed, long-term transportation bill. At that time, I joined many of my colleagues from both sides of the aisle to call on the House to consider the Senate's bill or a similar bipartisan bill that would provide highway and transit programs with level funding for at least 2 years.

While the House has not yet passed a long-term bill, I am pleased that they voted to go to conference with the Senate. That means we are one step closer to finally having legislation in place that would support nearly 2 million jobs—about 6,600 of those in New Hampshire—and a bill that would maintain current funding levels, which would avoid an increase in both the deficit and gas taxes. I urge the House and the Speaker to immediately appoint conferees so we can continue moving forward and finally pass a long-term transportation bill. We cannot wait any longer. Mr. President, 937 days have passed since our last Federal Transportation bill expired. If you are counting, that is 2 years, 6 months, and 27 days.

If the House does not join the Senate and support a reasonable bipartisan transportation bill that is paid for, States and towns will not have the certainty they need from Washington to plan their projects and improve their transportation infrastructure.

According to numerous studies, deteriorating infrastructure—the highways, the railroads, the transit systems, the bridges that knit our economy together—cost businesses more than \$100 billion a year in lost productivity. That is because we are not making the investments we need to make. And this is no time to further stall programs that encourage economic growth and create the climate for businesses to succeed.

In New Hampshire, we very directly experience the consequences of this uncertainty. The main artery that runs north and south in New Hampshire, Interstate 93, is congested. Currently, we have a project underway that would reduce that congestion on our State's most important highway. It would create jobs. It would spur economic development.

Although this project has been underway for several years, the pace of the project has slowed dramatically because we do not have a transportation bill in place. Businesses and developers along the I-93 corridor cannot hire workers or invest for the future while the project remains uncertain.

We need to act now to unleash the economic growth this project and

transportation investments across the country will make possible. We know that projects such as Interstate 93 produce good jobs. New Hampshire's Department of Transportation said that work on just one section of the highway—just one section, between exits 2 and 3—created 369 construction jobs. And all around the country we have projects like Interstate 93 that are waiting on Congress to complete this effort.

For every billion dollars we spend in infrastructure investment, it creates 27,000 jobs. It should not be so hard to get this done. If BARBARA BOXER and JIM INHOFE can agree on legislation, then the House ought to be able to agree on legislation. Cities and businesses need the certainty as we get to the new construction season. And the longer the House waits to appoint conferees, the harder it will be for Congress to pass a long-term bill.

I urge the House to swiftly appoint representatives to negotiate with the Senate so that we can come together and make the Federal investments necessary to get transportation projects moving and get people back to work.

I yield the floor, and I 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. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

21ST CENTURY POSTAL SERVICE ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1789, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1789) to improve, sustain, and transform the United States Postal Service.

Pending:

Reid (for Lieberman) modified amendment No. 2000, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 2071, AS MODIFIED

Mr. LIEBERMAN. Mr. President, on behalf of Senator WARNER, I ask unanimous consent to call up the Warner amendment No. 2071, with a modification that is at the desk, and I ask that it to be considered in the original order of the previous agreement.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendment, as modified.

The bill clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN], for Senator WARNER, proposes an amendment numbered 2071, as modified.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that further

reading of the amendment be dispensed with.

Mr. CARDIN. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require reporting regarding retirement processing and modernization)

At the appropriate place, insert the following:

SEC. . . RETIREMENT REPORTING.

(a) TIMELINESS AND PENDING APPLICATIONS.—Not later than 60 days after the date of enactment of this Act, and every month thereafter, the Director of the Office of Personnel Management shall submit to Congress, the Comptroller General of the United States, and issue publicly (including on the website of the Office of Personnel Management) a report that—

(1) evaluates the timeliness, completeness, and accuracy of information submitted by the Postal Service relating to employees of the Postal Service who are retiring, as compared with such information submitted by agencies (as defined under section 551 of title 5, United States Code); and

(2) includes—

(A) the total number of applications for retirement benefits for employees of the Postal Service that are pending action by the Office of Personnel Management; and

(B) the number of months each such application has been pending.

(b) ELECTRONIC DATA TIMETABLE.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Office of Personnel Management shall submit to Congress and the Comptroller General of the United States a timetable for completion of each component of a retirement systems modernization project of the Office of Personnel Management, including all data elements required for accurate completion of adjudication and the date by which electronic transmission of all personnel data to the Office of Personnel Management by the Postal Service shall commence.

(2) TIMETABLE CONSIDERATIONS.—In providing a timetable for the commencing of the electronic transmission of all personnel data by the Postal Service under paragraph (1), the Office of Personnel Management shall consider the milestones established by other payroll processors participating in the retirement systems modernization project of the Office of Personnel Management.

Mr. LIEBERMAN. Mr. President, I thank all our colleagues. We have made good bipartisan progress on a bipartisan bill that I think will go a long way toward solving the current crisis situation in our U.S. Postal Service.

We have several amendments remaining, approximately nine rollcall votes—hopefully fewer as this goes on—and a number of other amendments that we hope will be considered by a voice vote and perhaps even, in the wisdom of the sponsor, withdrawn. At least I look at the occupant of the chair, and I know he is a man who is very wise, and I thank him.

Mr. President, in the normal order, Senator MANCHIN of West Virginia is next up.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENT NO. 2079

Mr. MANCHIN. Mr. President, on behalf of my cosponsors, Senator ROCKEFELLER, Senator MIKULSKI, and Senator MERKLEY, I call up amendment No. 2079.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from West Virginia [Mr. MANCHIN], for himself, Mr. ROCKEFELLER, Ms. MIKULSKI, and Mr. MERKLEY, proposes an amendment numbered 2079.

Mr. MANCHIN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To extend the moratorium on the closing and consolidation of postal facilities or post offices, station, or branches)

At the appropriate place, insert the following:

SEC. ____ MORATORIUM ON CLOSING AND CONSOLIDATING POSTAL FACILITIES OR POST OFFICES, STATIONS, OR BRANCHES.

(a) DEFINITION.—In this section, the term “postal facility” has the same meaning as in section 404(f) of title 39, United States Code, as added by this Act.

(b) MORATORIUM.—Notwithstanding section 404 of title 39, United States Code, as amended by this Act, or any other provision of law, the Postal Service may not close or consolidate a postal facility or post office, station, or branch, except as required for the immediate protection of health and safety, before the later of—

(1) the date on which the Postal Service establishes the retail service standards under section 203 of this Act; and

(2) the date that is 2 years after the date of enactment of this Act.

(c) CONFORMING PROVISION.—Section 205(b) of this Act shall have no force or effect.

The PRESIDING OFFICER. The Senator from West Virginia is recognized for 1 minute.

Mr. MANCHIN. Mr. President and all of my colleagues here, this amendment is the only one that will give us a chance to save, truly, the American Postal Service. It is the only one. It is a 2-year prohibition against closing any of our post offices and postal services.

A lot of good things have been done and a lot of amendments have been made already that nibble around the edges. This is the only amendment that basically says: For a 2-year period, you have to sit down and restructure this. Now, \$200 million is what they are talking about. I can go in many different directions with this, but that is 1 day in Afghanistan.

This is what the little State of West Virginia will lose: 150 post offices.

They are saying: Well, we have a 1-year moratorium. We can restructure this and show where the savings should be.

I have a lot of different ideas on where the savings can be, but I can tell you right now that we can start with former Postmaster General Potter, who earned \$501,000. That is more than the President of the United States. There are a lot of savings at the top end of this. But we could save these.

If you take these lifelines away—and this is all that people have. They get their medicine and they get everything they do and depend on their lifelines

with these post offices. They have nothing else. Their towns have just about gone away except for that connection. And I am asking basically for my colleagues to consider keeping these lifelines. Let us work and give us the 2-year period we need.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, respectfully to my dear friend from West Virginia, I am going to oppose this amendment, and let me put it in this context. The U.S. Postal Service is in trouble. It is losing about \$23 million or \$24 million on the average every day, more than \$13 billion in the last 2 years. It is not going to survive if the status quo prevails. It needs to change. This bill provides for change but in a way that we think is balanced and reasonable. My friend from West Virginia has introduced an amendment that would prohibit all change for the next 2 years and therefore I think open the way for a kind of death spiral for the U.S. Postal Service.

There are many protections in our bill before a post office could be closed, even more or just as many before a mail-processing facility could be closed. We added more protections yesterday with the McCaskill-Merkley and the Tester-Levin amendments, but they allow change because without change this Postal Service of ours will die.

The PRESIDING OFFICER. All time has expired.

Mr. MANCHIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Utah (Mr. HATCH), and the Senator from Illinois (Mr. KIRK).

Mr. DURBIN. I announce that the Senator from California (Ms. FEINSTEIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 43, nays 53, as follows:

[Rollcall Vote No. 77 Leg.]

YEAS—43

Akaka	Inouye	Pryor
Barrasso	Johnson (SD)	Reed
Baucus	Kerry	Reid
Begich	Kohl	Rockefeller
Blumenthal	Landrieu	Sanders
Boxer	Lautenberg	Schumer
Brown (OH)	Leahy	Shaheen
Cardin	Levin	Stabenow
Casey	Manchin	Tester
Durbin	McCaskill	Udall (NM)
Enzi	Menendez	Whitehouse
Gillibrand	Merkley	Wicker
Hagan	Mikulski	Wyden
Harkin	Nelson (NE)	
Heller	Nelson (FL)	

NAYS—53

Alexander	Crapo	Moran
Ayotte	DeMint	Murkowski
Bennet	Franken	Murray
Bingaman	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hoeben	Risch
Brown (MA)	Hutchison	Roberts
Burr	Inhofe	Rubio
Cantwell	Isakson	Sessions
Carper	Johanns	Shelby
Coats	Johnson (WI)	Snowe
Coburn	Klobuchar	Thune
Cochran	Kyl	Toomey
Collins	Lee	Udall (CO)
Conrad	Lieberman	Vitter
Coons	Lugar	Warner
Corker	McCain	Webb
Cornyn	McConnell	

NOT VOTING—4

Chambliss	Hatch
Feinstein	Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, next on the list is Senator PAUL's amendment No. 2026.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, at a time when America's infrastructure is crumbling, at a time when the Postal Service is losing \$4 billion a year, does it make sense to send \$2 billion to Egypt? Does it make sense to borrow money from China to send it to Egypt? At a time when American citizens are being prosecuted in Egypt, at a time when American citizens are having international warrants sworn out on their arrests by Egypt, does it make sense to send \$2 billion to Egypt?

Last week I met with a young pro-democracy worker from Egypt. She is afraid to return home. She is afraid she will never see her children again. She is afraid of the cage they will put her in to prosecute her for political crimes. She fears that the Egyptian freedom movement will die in its infancy.

So I ask—for as long as prodemocracy workers are being prosecuted, American and Egyptian—I ask unanimous consent to call up amendment No. 2023 and that it be voted on.

The PRESIDING OFFICER. Is there objection?

The Senator from Connecticut.

Mr. LIEBERMAN. I object on the same grounds we discussed earlier in this debate. It is irrelevant to the subject matter of the Postal Service.

Mr. PAUL. Mr. President, I ask unanimous consent to not offer my amendment No. 2026, and I yield back.

The PRESIDING OFFICER. The Senator has that right.

Mr. LIEBERMAN. I thank my friend from Kentucky.

AMENDMENT NO. 2076

Mr. BINGAMAN. Mr. President, I call up amendment No. 2076.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 2076.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require that State liaisons for States without a district office are located within their respective States)

On page 48, line 2, after "State," insert the following: "An employee designated under this subsection to represent the needs of Postal Service customers in a State shall be located in that State."

Mr. BINGAMAN. Mr. President, this amendment is cosponsored by my colleague, Senator UDALL, and would require State liaisons for States that do not have district offices in them to be located within the States they represent. This is a commonsense amendment. There are 10 States that will not have district offices in them. As currently contemplated, they are operated out of district offices in adjacent States.

The substitute amendment would require the Postal Service to designate at least one employee to be a State liaison, and this amendment I am offering says that person must be located within the State they represent.

I ask all my colleagues to support this. I don't see any basis for objection to it.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, this is an excellent and thoughtful amendment introduced by the Senator from New Mexico, and I am glad to support it. I urge that it be accepted by voice vote.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment.

The amendment (No. 2076) was agreed to.

AMENDMENT NO. 2027

Mr. LIEBERMAN. Mr. President, next is the amendment offered by Senator PAUL, amendment No. 2027.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I ask unanimous consent to call up amendment No. 2027.

The PRESIDING OFFICER. The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2027.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the closing of post offices in the Capitol Complex)

At the end of title II, insert the following:

SEC. ____ . CAPITOL COMPLEX POST OFFICES.

(a) HOUSE OF REPRESENTATIVES.—

(1) IN GENERAL.—The Postal Service shall not maintain or operate more than 1 post office in the United States Capitol Complex, as defined in section 310(a)(3)(B) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e(a)(3)(B)), which shall be located in a House Office Building.

(2) CLOSING OF CAPITOL POST OFFICES.—The Postal Service shall close any post office in the United States Capitol Complex, as defined in section 310(a)(3)(B) of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e(a)(3)(B)), not permitted under this subsection, without regard to the requirements under section 404(d) of title 39, United States Code.

(b) SENATE.—

(1) IN GENERAL.—The Sergeant at Arms and Doorkeeper of the Senate may not enter into, modify, or renew a contract with the Postal Service to maintain or operate more than 1 post office in a Senate Office Building.

(2) EXISTING CONTRACTS.—Nothing in paragraph (1) may be construed to affect a contract entered into by the Sergeant at Arms and Doorkeeper of the Senate and the Postal Service before the date of enactment of this Act.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. PAUL. Mr. President, at a time when we are asking post offices and people around our country to suffer the loss of their local post office, I think the very least we can do is show we are willing to give up some of the post offices around here. We have seven post offices in the Capitol. We have a post office in almost every building. I am asking that we have one on the House side and one on the Senate side. If we are asking people to suffer the loss of their post offices in their States, I think the very least we can do is do without a few post offices here, and I hope my colleagues will support this amendment.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Maine.

Ms. COLLINS. Mr. President, this is a commonsense amendment. It would limit the number of post offices in the Capitol Complex to one on each side—one in the House and one in the Senate. It does not affect the processing of mail out of the Capitol, and I believe we should accept the amendment.

I urge that we accept the amendment by a voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2027) was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, next on the list is Senator CARDIN's amendment No. 2040, which I understand he will withdraw.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I am going to withdraw the amendment. Let me point out that this amendment was offered in an effort to make sure we

can continue overnight delivery in most of our country by keeping open processing centers that are necessary. The underlying substitute that Senator LIEBERMAN, Senator COLLINS, Senator CARPER, and Senator BROWN brought forward accomplishes that goal. I don't believe this amendment is necessary. For that reason, I will not offer the amendment.

Mr. LIEBERMAN. Mr. President, I thank my friend from Maryland for moving expeditiously. I hope it will continue.

Next is Senator PAUL's amendment No. 2028.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 2028

Mr. PAUL. Mr. President, I ask unanimous consent to call up amendment No. 2028.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2028.

Mr. PAUL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To establish a pilot program to test alternative methods for the delivery of postal services)

At the appropriate place, insert the following:

SEC. ____ . PILOT PROGRAM TO TEST ALTERNATIVE METHODS FOR THE DELIVERY OF POSTAL SERVICES.

(a) DEFINITION.—In this section, the term "review board" means a postal performance review board established under subsection (c)(2).

(b) PILOT PROGRAM.—

(1) IN GENERAL.—The United States Postal Service may conduct a pilot program to test the feasibility and desirability of alternative methods for the delivery of postal services. Subject to the provisions of this section, the pilot program shall not be limited by any lack of specific authority under title 39, United States Code, to take any action contemplated under the pilot program.

(2) WAIVERS.—

(A) IN GENERAL.—The Postal Service may waive any provision of law, rule, or regulation inconsistent with any action contemplated under the pilot program.

(B) CONTENT.—A waiver granted by the Postal Service under subparagraph (A) may include a waiver of requirements relating to—

- (i) days of mail delivery;
- (ii) the use of cluster-boxes;
- (iii) alternative uses of mailboxes; and
- (iv) potential customer charges for daily at-home delivery.

(C) REGULATIONS AND CONSULTATION.—The Postal Service shall issue any waiver under subparagraph (A)—

- (i) in accordance with regulations under subsection (h); and
- (ii) with respect to a waiver involving a provision of title 18, United States Code, in consultation with the Attorney General.

(c) REQUIREMENTS.—

(1) IN GENERAL.—

(A) APPLICATION.—Under the pilot program, alternative methods for the delivery of postal services may be tested only in a community that submits an appropriate application (together with a written plan)—

(i) in such time, form, and manner as the Postal Service by regulation requires; and

(ii) that is approved by the Postal Service.

(B) CONTENTS.—Any application under this paragraph shall include—

(i) a description of the postal services that would be affected;

(ii) the alternative providers selected and the postal services each would furnish (or the manner in which those decisions would be made);

(iii) the anticipated costs and benefits to the Postal Service and users of the mail;

(iv) the anticipated duration of the participation of the community in the pilot program;

(v) a specific description of any actions contemplated for which there is a lack of specific authority or for which a waiver under subsection (b)(2) would be necessary; and

(vi) any other information as the Postal Service may require.

(2) REVIEW BOARDS.—

(A) IN GENERAL.—Under the pilot program, a postmaster within a community may, in accordance with regulations prescribed by the Postal Service, establish a postal performance review board.

(B) FUNCTIONS.—A review board shall—

(i) submit any application under paragraph (1) on behalf of the community that the review board represents; and

(ii) carry out the plan on the basis of which any application with respect to that community is approved.

(C) MEMBERSHIP.—A review board shall consist of—

(i) the postmaster for the community (or, if there is more than 1, the postmaster designated in accordance with regulations under subsection (h));

(ii) at least 1 individual who shall represent the interests of business concerns; and

(iii) at least 1 individual who shall represent the interests of users of the class of mail for which the most expeditious handling and transportation is afforded by the Postal Service.

(iv) CHAIRPERSON.—The postmaster for the community (or postmaster so designated) shall serve as chairperson of the review board.

(3) ALTERNATIVE PROVIDERS.—To be eligible to be selected as an alternative provider of postal services, a provider shall be a commercial enterprise, nonprofit organization, labor organization, or other person that—

(A) possesses the personnel, equipment, and other capabilities necessary to furnish the postal services concerned;

(B) satisfies any security and other requirements as may be necessary to safeguard the mail, users of the mail, and the general public;

(C) submits a bid to the appropriate review board in such time, form, and manner (together with such accompanying information) as the review board may require; and

(D) meets such other requirements as the review board may require, consistent with any applicable regulations under subsection (h).

(4) USE OF POSTAL FACILITIES AND EQUIPMENT.—A postmaster may, at the discretion of the postmaster, allow alternative providers to use facilities and equipment of the Postal Service. Any such use proposed by a person in a bid submitted under paragraph (3)(C) shall, for purposes of the competitive bidding process, be taken into account using the fair market value of such use.

(5) APPLICATIONS FROM COMMUNITIES WITH POTENTIAL CLOSURES.—When reviewing and granting applications, the Postal Service shall give priority to applications from communities identified for potential post office closures.

(d) LIMITATION ON APPLICATIONS.—

(1) IN GENERAL.—Except as provided under paragraph (2), no more than 250 applications may be approved for participation in the pilot program under this section at any 1 time.

(2) INCREASED LIMITATION.—If more than 250 applications for participation in the pilot program are filed during the 90-day period beginning on the date of enactment of this Act, no more than 500 applications may be approved for participation in the pilot program under this section at any 1 time.

(e) TERMINATION OF COMMUNITY PARTICIPATION.—Subject to such conditions as the Postal Service may by regulation prescribe and the terms of any written agreement or contract entered into in conformance with such regulations, the participation of a community in the pilot program may be terminated by the Postal Service or by the review board for that community if the Postal Service or the review board determines that the continued participation of the community is not in the best interests of the public or the Government of the United States.

(f) EVALUATIONS.—

(1) IN GENERAL.—The Postal Service shall evaluate the operation of the pilot program within each community that participates in the pilot program.

(2) CONTENTS.—An evaluation under this subsection shall include an examination, as applicable, of—

(A) the reliability of mail delivery (including the rate of misdeliveries) in the community;

(B) the timeliness of mail delivery (including the time of day that mail is delivered and the time elapsing from the postmarking to delivery of mail) in the community;

(C) the volume of mail delivered in the community; and

(D) any cost savings or additional costs to the Postal Service attributable to the use of alternative providers.

(3) ANALYSIS OF DATA.—Data included in any evaluation under this subsection shall be analyzed—

(A) by community characteristics, time of year, and type of postal service;

(B) by residential, business, and any other type of mail user; and

(C) on any other basis as the Postal Service may determine.

(4) SUBMISSION OF EVALUATIONS.—Not later than 90 days after the date on which the pilot program terminates, the Postal Service shall submit each evaluation under this subsection and an overall evaluation of the pilot program to the President and Congress.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the obligation of the Postal Service to continue providing universal service, in accordance with otherwise applicable provisions of law, in all aspects not otherwise provided for under this section.

(h) REGULATIONS.—The Postal Service may prescribe any regulations necessary to carry out this section.

(i) TERMINATION.—

(1) TERMINATION BY THE POSTAL SERVICE.—The Postmaster General may terminate the pilot program under this section before the date described in paragraph (2)(A), if—

(A) the Postmaster General determines that continuation of the pilot program is not in the best interests of the public or the Government of the United States; and

(B) the Postal Regulatory Commission approves the termination.

(2) TERMINATION AFTER 5 YEARS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the authority to conduct the pilot program under this section shall terminate 5 years after the date of enactment of this Act.

(B) EXTENSIONS.—

(i) IN GENERAL.—The Postmaster General may extend the authority to conduct the pilot program under this section, if before the date that the authority to conduct the pilot program would otherwise terminate, the Postmaster General submits a notice of extension to Congress that includes—

(I) the term of the extension; and

(II) the reasons that the extension is in the best interests of the public or the Government of the United States.

(ii) MULTIPLE EXTENSIONS.—The Postmaster General may provide for more than 1 extension under this subparagraph.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. PAUL. Mr. President, this amendment would allow a pilot program for local postal autonomy. One of the complaints I heard from postmasters when they came to talk to me about this bill is that they think there is a lot of middle management in the Postal Service making unwise decisions, and if they were given more autonomy at the local level to make decisions about their post offices, they would have the ability to have cost-saving measures to try to save the post office for their local community. I think this makes sense. I think we would have more innovation and get some useful ideas from our local postmasters.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I respectfully oppose this amendment. This would actually fracture the U.S. Postal Service as we have known it, as a national institution that maintains national standards, including the promise of universal service wherever one lives or does business, by authorizing localities to break away. I think that in doing so, it would jeopardize the foundation promise our Postal Service made since the beginning of universal service. So I would oppose the amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, this amendment establishes what is essentially a privatization pilot program for the alternative delivery of mail outside of the universal service mandate of the Postal Service. I believe it would create chaos by allowing for inconsistent delivery standards across the country. It would cause cream skimming of profitable delivery areas, and that would harm rural America.

I urge rejection of the amendment.

Mr. PAUL. Mr. President, this amendment doesn't change any of the postal mandates and, to tell my colleagues the truth, the system we have now is not working very well. I think we do need some innovation, so I think it would be a good idea to vote for this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. CARDIN). Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 2028.

The clerk will call the roll.
The bill clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 64, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—35

Alexander	Grassley	Moran
Ayotte	Hatch	Paul
Barrasso	Heller	Risch
Burr	Hutchison	Roberts
Chambliss	Inhofe	Rubio
Coats	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kyl	Thune
Crapo	Lee	Toomey
DeMint	Lugar	Vitter
Enzi	McCain	Wicker
Graham	McConnell	

NAYS—64

Akaka	Franken	Murray
Baucus	Gillibrand	Nelson (NE)
Begich	Hagan	Nelson (FL)
Bennet	Harkin	Portman
Bingaman	Hoeben	Pryor
Blumenthal	Inouye	Reed
Blunt	Isakson	Reid
Boozman	Johnson (SD)	Rockefeller
Boxer	Kerry	Sanders
Brown (MA)	Klobuchar	Schumer
Brown (OH)	Kohl	Shaheen
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Coburn	Lieberman	Udall (NM)
Cochran	Manchin	Warner
Collins	McCaskill	Webb
Conrad	Menendez	Whitehouse
Coons	Merkley	Wyden
Durbin	Mikulski	
Feinstein	Murkowski	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Mr. President, the next amendment is Senator CARPER's amendment No. 2065.

Mr. CARPER. Mr. President, I ask unanimous consent to withdraw amendment No. 2065.

The PRESIDING OFFICER. The Senator has that right. The amendment has not been proposed.

Mr. LIEBERMAN. I thank my friend from Delaware.

AMENDMENT NO. 2029, AS MODIFIED

Mr. President, we go now to Senator PAUL's amendment No. 2029.

Mr. PAUL. Mr. President, I ask unanimous consent that amendment No. 2029 with the modifications at the desk be reported.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report the amendment, as modified.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2029, as modified.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Postal Service to take into consideration the impact of regulations when developing a profitability plan)

On page 136, between lines 14 and 15, insert the following:

(5) the impact of—

(A) regulations the Postmaster General was required by Congress to promulgate; and
(B) congressional action required to facilitate the profitability of the Postal Service;

On page 136, line 15, strike "(5)" and insert "(6)".

On page 136, line 18, strike "(6)" and insert "(7)".

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. PAUL. Mr. President, this amendment would add a technical change to the profitability plan that is already required under the bill, and it would simply ask that when they do the profitability plan, they report on whether Congress is helping or hurting. A lot of times we do things that are well intentioned that may not work out. I think they need to let us know more about whether Congress is helping or hurting the process.

I urge adoption of this amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I support the amendment. The underlying bill requires the Postal Service to send us a detailed plan for attaining long-term financial solvency. This amendment would add several factors to the list of items that should be considered in the report. I think it strengthens the bill, and I urge its adoption by voice vote.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I too support the amendment and urge its adoption.

The PRESIDING OFFICER. If there is no further debate, the question is on the adoption of the amendment.

The amendment (No. 2029), as modified, was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2066

Mr. LIEBERMAN. Mr. President, next is Senator CARPER's amendment No. 2066.

Mr. CARPER. Mr. President, I call up amendment No. 2066.

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will report.

The legislative clerk read as follows: The Senator from Delaware [Mr. CARPER] proposes an amendment numbered 2066.

Mr. CARPER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To appropriately limit the compensation of executives of the Postal Service)

At the appropriate place, insert the following:

SEC. ____ . EXECUTIVE COMPENSATION.

(a) LIMIT ON MAXIMUM COMPENSATION.—

(1) NUMBER OF EXECUTIVES.—Section 3686(c) of title 39, United States Code, is amended in the first sentence by striking "12 officers" and inserting "6 officers".

(2) INTERIM LIMITATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), and notwithstanding section 3686(c) of title 39, United States Code, as amended by this Act, for 2012, 2013, 2014, and 2015, the total compensation of an officer or employee of the Postal Service may not exceed the annual amount of basic pay payable for level I of the Executive Schedule under section 5312 of title 5.

(B) PERFORMANCE BASED COMPENSATION RELATING TO SOLVENCY PLAN.—

(i) IN GENERAL.—Any compensation relating to achieving the goals established under the plan under section 401 shall not apply toward the limit on compensation under subparagraph (A).

(ii) OTHER LIMITATIONS APPLY.—Nothing in this subparagraph shall be construed to modify the limitation on compensation under subsections (b) and (c) of section 3686 of title 39, United States Code, as amended by this Act.

(b) CARRY OVER COMPENSATION.—The Postal Service may not pay compensation for service performed during a year (in this subsection referred to as the "base year") in any subsequent year if the total amount of compensation provided relating to service during the base year would exceed the amount specified under section 3686(c) of title 39, United States Code, as amended by this Act, or subsection (a)(2), as applicable.

(c) BENEFITS.—Section 1003 of title 39, United States Code, is amended by adding at the end the following:

"(e) LIMITATIONS ON BENEFITS.—For any fiscal year, an officer or employee of the Postal Service who is in a critical senior executive or equivalent position, as designated under section 3686(c), may not receive fringe benefits (within the meaning given that term under section 1005(f)) that are greater than the fringe benefits received by supervisory and other managerial personnel who are not subject to collective-bargaining agreements under chapter 12."

(d) EFFECTIVE DATE; APPLICABILITY.—This section and the amendments made by this section shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any contract entered or modified by the Postal Service on or after the date of enactment of this Act.

Mr. CARPER. Mr. President, some of our colleagues have raised justifiable concerns about the level of compensation that has gone to some of the most senior officials at the U.S. Postal Service. The compensation package for one previous leader of the Postal Service was in excess of \$1 million. In a day and age when rank-and-file postal employees are going to be asked to make some sacrifices as labor negotiations go forward, I think it is important for us to remember the concept of leadership by example.

This amendment makes sure that, frankly, deferred compensation packages of the kind I just described do not

occur. We cut in half—from 12 to 6—the number of postal executives who are able to receive compensation in excess of a Cabinet-level salary, but to give the Board of Governors the ability to pay a fee for good progress toward reducing the budget deficit at the Postal Service through pay above that up to about \$270,000.

The last thing we say is, the idea that senior executives at the Postal Service do not have to pay anything for health care or do not have to pay anything for their life insurance is wrong and that should end. We do that with this amendment.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I support the amendment on executive compensation. I believe it addresses this matter in a manner that President Bush 41 might have called prudent. I urge it be adopted by a voice vote.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 2066) was agreed to.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2039

Mr. LIEBERMAN. Mr. President, the next amendment is Senator PAUL's amendment No. 2039.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, I call up amendment No. 2039.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 2039.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit employees of the United States Postal Service from engaging in collective bargaining)

At the end of title I, add the following:

SEC. 107. PROHIBITION ON COLLECTIVE BARGAINING.

(a) IN GENERAL.—Section 1206 of title 39 is amended to read as follows:

“§ 1206. Prohibition on collective-bargaining agreements

“The Postal Service may not enter into a collective-bargaining agreement with any labor organization.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Chapter 12 of title 39, United States Code, is amended—

(1) in section 1202—

(A) in the section heading, by striking “Bargaining units” and inserting “Employee organizations”;

(B) by striking the first sentence; and

(C) by striking “The National Labor Relations Board shall not include in any bargaining unit—” and inserting “An organization of employees of the United States Postal Service shall not include—”;

(2) in section 1203, by striking subsections (c), (d), and (e);

(3) in section 1204(a), by striking “shall be conducted under the supervision of the National Labor Relations Board, or persons designated by it, and”;

(4) in section 1205(a), by striking “not subject to collective-bargaining agreements”;

(5) by striking sections 1207, 1208, and 1209; and

(6) in the table of sections—

(A) by striking the item relating to section 1202 and inserting the following:

“1203. Employee organizations.”; and

(B) by striking the items relating to sections 1206, 1207, 1208, and 1209 and inserting the following:

“1206. Prohibition on collective-bargaining agreements.”.

Mr. PAUL. Mr. President, let's be frank. The Postal Service is bankrupt and only dramatic action will fix the Postal Service. The problem is labor costs. Eighty percent of the Postal Service's costs are labor. If we look at UPS, it is about 50 percent. If we look at FedEx, it is about 38 percent. Before we close one post office, before we end Saturday mail, before we ask citizens to get poorer services for higher prices, maybe we ought to look at the root of the problem.

Even FDR—the biggest of the big government advocates—said this about collective bargaining:

All Government employees should realize that the process of collective bargaining, as usually understood, cannot be transplanted into the public service.

So agreeing with FDR, I hope my colleagues from across the aisle will agree with their patron saint FDR and will support this amendment that would end collective bargaining.

In the interest of time, I will be happy to have a voice vote.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Maine.

Ms. COLLINS. Mr. President, this amendment would strip from the postal workers the right to collectively bargain. This is an enormous change in labor law. Postal workers have had the right to engage in collective bargaining for more than 30 years. We did make changes in this bill in the arbitration process. We made sure if a contract dispute goes to arbitration, the arbitrator has to consider the financial condition of the Postal Service. That will help bring balance into the system. But there is no justification for completely removing the right of workers to collectively bargain.

I urge we reject the amendment.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to amendment No. 2039.

Mr. PAUL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 23, nays 76, as follows:

[Rollcall Vote No. 79 Leg.]

YEAS—23

Barrasso	Graham	Paul
Burr	Hatch	Risch
Chambliss	Heller	Sessions
Corker	Inhofe	Shelby
Cornyn	Kyl	Thune
Crapo	Lee	Toomey
DeMint	McCain	Vitter
Enzi	McConnell	

NAYS—76

Akaka	Gillibrand	Murkowski
Alexander	Grassley	Murray
Ayotte	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Hoehn	Portman
Bennet	Hutchison	Pryor
Bingaman	Inouye	Reed
Blumenthal	Isakson	Reid
Blunt	Johanns	Roberts
Boozman	Johnson (SD)	Rockefeller
Boxer	Johnson (WI)	Rubio
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coats	Levin	Udall (CO)
Coburn	Lieberman	Udall (NM)
Cochran	Lugar	Warner
Collins	Manchin	Webb
Conrad	McCaskill	Whitehouse
Coons	Menendez	Wicker
Durbin	Merkley	Wyden
Feinstein	Mikulski	
Franken	Moran	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote and lay that motion upon the table.

The motion to lay upon the table was agreed to.

Mr. LIEBERMAN. Mr. President, next on our list—we are moving well; I thank my colleagues—is Senator CASEY's amendment No. 2042.

AMENDMENT NO. 2042

Mr. CASEY. Mr. President, I rise to speak on amendment No. 2042. This is really an amendment that maintains standards that we have had a right to expect and have expected for many generations; that is, the standard of service that the Postal Service has come to be known for.

I call up amendment No. 2042.

The PRESIDING OFFICER. The clerk will report the amendment.

The Senator from Pennsylvania [Mr. CASEY] proposes an amendment numbered 2042.

The amendment is as follows:

(Purpose: To maintain current delivery time for market-dominant products)

At the appropriate place, insert the following:

SEC. ____ . MAINTENANCE OF DELIVERY SERVICE STANDARDS.

(a) IN GENERAL.—

(1) DEFINITION.—In this subsection, the term “2011 market-dominant product service standards” means the expected delivery time for market-dominant products entered into

the network of sectional center facilities that existed on September 15, 2011, under part 121 of title 39, Code of Federal Regulations (as in effect on March 14, 2010).

(2) MAINTENANCE OF DELIVERY TIME.—Notwithstanding subsections (a), (b), and (c) of section 3691 of title 39, United States Code, the Postal Service may not increase the expected delivery time for market-dominant products, relative to the 2011 market-dominant product service standards, earlier than the date that is 4 years after the date of enactment of this Act.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) POSTAL FACILITIES.—Section 404(f) of title 39, United States Code, as added by this Act, is amended—

(A) in paragraph (6)(C)—

(i) by striking “3-year period” and inserting “4-year period”; and

(ii) by striking “section 201 of”; and

(B) in paragraph (7)—

(i) in subparagraph (A), by striking “, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012”; and

(ii) in subparagraph (B), by striking “, including the service standards established under section 201 of the 21st Century Postal Service Act of 2012,”.

(2) DEFINITION.—For purposes of section 206(a)(2), the term “continental United States” means the 48 contiguous States and the District of Columbia.

(3) SECTION 201.—Section 201 of this Act shall have no force or effect.

Mr. CASEY. Mr. President, this is about the standard of service that we have come to expect from the Postal Service for many generations. I realize a lot of work has gone into this consensus that has developed. We know we need to make changes to the Postal Service. But one thing we should not change or downgrade or compromise or degrade in any way is the standard of service.

I think what we should do is have a 4-year moratorium on the implementation that would lead to changes because there will be a lot of changes made in the next couple of years upon enactment. What we should not do, though, is move too quickly to change the standard of service that people have had a right to rely upon.

I would ask for a “yes” vote on this amendment. I should note for the record the cosponsors: Senators BROWN of Ohio, Senator SANDERS, Senator BAUCUS, Senator LEAHY, Senator MCCASKILL, Senator SHAHEEN, Senator MERKLEY, and Senator MENENDEZ.

I would ask for a “yes” vote.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to oppose the amendment by my friend from Pennsylvania. Everybody acknowledges that the Postal Service is in crisis, losing \$23 million a day. Mail volume has dropped 21 percent in the last 5 years. That means everybody—we simply cannot afford every mail processing facility that exists because there is not that much mail anymore.

The Postal Service will only survive if we change it. Our bill allows for orderly change. This amendment would basically maintain the status quo for 4

years. I think doing so is a kind of invitation to the Postal Service to go into bankruptcy. Our country cannot afford that. So, respectfully, I would oppose the amendment.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to Casey amendment No. 2042.

Mr. DURBIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. CONRAD) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—44

Akaka	Inouye	Pryor
Baucus	Johnson (SD)	Reed
Begich	Kerry	Rockefeller
Bennet	Klobuchar	Sanders
Blumenthal	Kohl	Schumer
Boxer	Lautenberg	Shaheen
Brown (OH)	Leahy	Snowe
Cantwell	Levin	Stabenow
Cardin	Manchin	Tester
Casey	McCaskill	Udall (CO)
Durbin	Menendez	Udall (NM)
Franken	Merkley	Webb
Gillibrand	Mikulski	Whitehouse
Harkin	Murray	Wyden
Heller	Nelson (NE)	

NAYS—54

Alexander	DeMint	McCain
Ayotte	Enzi	McConnell
Barrasso	Feinstein	Moran
Bingaman	Graham	Murkowski
Blunt	Grassley	Nelson (FL)
Boozman	Hagan	Paul
Brown (MA)	Hatch	Portman
Burr	Hoeven	Reid
Carper	Hutchison	Risch
Chambliss	Inhofe	Roberts
Coats	Isakson	Rubio
Coburn	Johanns	Sessions
Cochran	Johnson (WI)	Shelby
Collins	Kyl	Thune
Coons	Landrieu	Toomey
Corker	Lee	Vitter
Cornyn	Lieberman	Warner
Crapo	Lugar	Wicker

NOT VOTING—2

Conrad Kirk

The PRESIDING OFFICER. Under the previous order, requiring 60 votes for the adoption of the amendment, the amendment is rejected.

Mr. LIEBERMAN. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. The next amendment is Senator PAUL's amendment No. 2038. He has asked that I withdraw from the list that amendment on his behalf.

The PRESIDING OFFICER. The amendment is withdrawn.

AMENDMENT NO. 2072

Mr. LIEBERMAN. Next is Senator LANDRIEU's amendment No. 2072.

Ms. LANDRIEU. Mr. President, I call up amendment No. 2072.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes an amendment numbered 2072.

Ms. LANDRIEU. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To determine the impact of certain postal facility closures or consolidations on small businesses)

On page 32, line 15, insert “(F) the effect of the closing or consolidation on small businesses in the area, including shipping and communications with customers and suppliers and the corresponding impact on revenues, operations, and growth; and”, and strike “(F)” and insert “(G)” before the clause that follows.

On page 41, line 11, insert “(ii) the effect of the closing or consolidation on small businesses in the area, including shipping and communications with customers and suppliers and the corresponding impact on revenues, operations, and growth; and”, and strike “(ii)” and insert “(iii)” before the clause that follows.

On page 53, line 1, strike “customers and communities” and insert “customers, communities, and small businesses”.

On page 57, line 3, strike “customers and communities” and insert “customers, communities, and small businesses”.

The PRESIDING OFFICER. There will be 2 minutes of debate, equally divided.

Ms. LANDRIEU. I thank the Chair.

I rise in support of this amendment, offered on behalf of myself and my colleagues, Senators SNOWE, STABENOW, and SHAHEEN.

We are very concerned that the Postal Service has not looked carefully enough at the impact some of its decisions might have on small businesses that rely on their operations. So all this amendment says—and I understand there is no opposition, so we might be able to take it by voice vote—is that included in the studies the Postal Service is going to do to analyze their way forward, they must consider the impact on small businesses they serve. As you know, in some areas, particularly rural areas, this is an arm of the small business, and we can't have that arm chopped off.

So that is the amendment. I don't believe there is any opposition, and if the managers would accept this by voice vote, we could save some time.

Mr. LIEBERMAN. Mr. President, I thank Senator LANDRIEU for proposing this amendment. I support it enthusiastically. It will strengthen the protections regarding the closing of processing facilities, and it requires the Postal Service to take into account the impact of any potential closing or consolidation on small businesses.

This amendment reminds us how many people and how many businesses, including particularly small businesses, across America depend on the

U.S. Postal Service and why it is so important for us to change it to save it. So I thank my friend from Louisiana for proposing this amendment.

I urge adoption of this amendment by voice vote.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment.

The amendment (No. 2072) was agreed to.

Mr. LIEBERMAN. I move to reconsider the vote and to lay that motion on the table.

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

Mr. LIEBERMAN. Next is Senator DEMINT's amendment No. 2046.

AMENDMENT NO. 2046

Mr. DEMINT. Mr. President, I call up amendment No. 2046.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] proposes an amendment numbered 2046.

Mr. DEMINT. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide protections for postal workers with respect to their right not to subsidize union nonrepresentational activities)

At the appropriate place, insert the following:

SEC. . PAYCHECK PROTECTION.

(a) SHORT TITLE.—The section may be cited as the "Paycheck Protection Act".

(b) RIGHT NOT TO SUBSIDIZE UNION NONREPRESENTATIONAL ACTIVITIES.—Chapter 12 of title 39, United States Code, is amended by adding at the end the following:

"SEC. 1210. RIGHT NOT TO SUBSIDIZE UNION NONREPRESENTATIONAL ACTIVITIES.

"No Postal Service employee's labor organization dues, fees, or assessments or other contributions shall be used or contributed to any person, organization, or entity for any purpose not directly germane to the labor organization's collective bargaining or contract administration functions unless the member, or nonmember required to make such payments as a condition of employment, authorizes such expenditure in writing, after a notice period of not less than 35 days. An initial authorization provided by an employee under the preceding sentence shall expire not later than 1 year after the date on which such authorization is signed by the employee. There shall be no automatic renewal of an authorization under this section."

The PRESIDING OFFICER. There will now be 2 minutes of debate.

Mr. DEMINT. Mr. President, this amendment is the Paycheck Protection Act, and it protects the first amendment rights of postal workers by requiring postal labor unions to obtain prior approval from their workers before they spend their dues money on behalf of political parties, political candidates or other political advocacy.

Unions are the only organizations in many States that cannot only force

people to join but forcibly use their dues for political purposes without the permission of the members. Sixty percent of union members object to their dues being spent for political purposes without their permission.

This amendment protects their right to have their dues used in the way they intend them to be used. So I encourage my colleagues to support this freedom, this protection of constitutional rights. It is consistent with the Supreme Court ruling in *Communications Workers v. Beck*.

I reserve the remainder of my time.

Mr. LIEBERMAN. Mr. President, I oppose this amendment. It is taking a bill that has the urgent purpose of saving the U.S. Postal Service—changing it to save it—and bringing in a matter of internal labor union business.

The fact is no postal employee is forced to join a union, but once one does, the union leadership can guide the policy positions the union supports through the democratic processes within the union. No postal employee himself or herself is forced to involuntarily support the advocacy or political activities of a union. That is their choice—whether to join it. But once they do, their leadership has the right to participate in a political process.

I urge my colleagues to vote against this amendment.

The PRESIDING OFFICER. All time has expired.

Mr. DEMINT. Mr. President, I yield the remainder of my time to Senator COLLINS.

The PRESIDING OFFICER. All time has expired.

Mr. DEMINT. I ask unanimous consent that Senator COLLINS be given 30 seconds to explain her position.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. COLLINS. I thank the Chair.

Mr. President, I urge support of Senator DEMINT's amendment. It protects the first amendment rights of postal workers by requiring that unions obtain prior approval from workers before spending their dues on political purposes.

I think this is probably the one and only amendment where I will diverge with my chairman, but I do urge support of Senator DEMINT's amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. LIEBERMAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Ms. KLOBUCHAR). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—46

Alexander	Enzi	Moran
Ayotte	Graham	Murkowski
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Heller	Risch
Brown (MA)	Hoeben	Roberts
Burr	Hutchison	Rubio
Chambliss	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Snowe
Cochran	Johnson (WI)	Thune
Collins	Kyl	Toomey
Corker	Lee	Vitter
Cornyn	Lugar	Wicker
Crapo	McCain	
DeMint	McConnell	

NAYS—53

Akaka	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson (SD)	Reed
Bingaman	Kerry	Reid
Blumenthal	Klobuchar	Rockefeller
Boxer	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murray	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

Mr. LIEBERMAN. Madam President, next we have Senator MCCASKILL's amendment No. 2030.

AMENDMENT NO. 2030

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, I call up my amendment No. 2030.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mrs. MCCASKILL] proposes an amendment numbered 2030.

Mrs. MCCASKILL. I ask unanimous consent that further reading be dispensed with.

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

(The amendment is printed in the RECORD of Tuesday, April 17, 2012, under "Text of Amendments.")

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on amendment No. 2030, offered by the Senator from Missouri.

Mrs. MCCASKILL. Madam President, S. 89 makes significant changes to the Federal Employees Compensation Act, FECA, which I support. The changes seek to reduce overspending in the program. But this is an amendment that will allow a couple of considerations that I think are important to include.

The amendment, along with other things, would improve upon the current program by providing those injured while deployed in armed conflict additional time to file a claim for FECA benefits and to ensure that deployed employees injured in a terrorist attack overseas while off-duty would receive the FECA benefits. It also creates an exemption for hardship if someone would be eligible for food stamps if their benefits are decreased even further.

These provisions are similar to the FECA reform legislation, H. Res. 2465, that has already passed the House of Representatives, and I ask for the consideration of the body of this amendment.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, first let me commend the Senator from Missouri for this amendment.

It does make a great deal of sense to have the hardship exemption and to give more time for individuals who are injured in war zones and longer deadlines for the paperwork for those individuals who might have trouble submitting the paperwork from a war zone. We are talking about civilian employees who are deployed there. This amendment makes a great deal of sense, and I urge that it be accepted by a voice vote.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment.

The amendment (No. 2039) was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

AMENDMENT NO. 2036

Mr. LIEBERMAN. Madam President, we will go to Senator PRYOR's amendment No. 2036.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Madam President, I ask that we go to amendment No. 2036.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. PRYOR], for himself and Mr. BEGICH, proposes an amendment numbered 2036.

The amendment is as follows:

(Purpose: To express the sense of the Senate with respect to the closing and consolidation of postal facilities and post offices)

At the appropriate place, insert the following:

SEC. ____ . SENSE OF THE SENATE.

It is the sense of the Senate that the Postal Service should not close or consolidate any postal facility (as defined in section 404(f) of title 39, United States Code, as added by this Act) or post office before the date of enactment of this Act.

Mr. PRYOR. Madam President, this, hopefully, will be a noncontroversial amendment.

Basically, it is a sense of the Senate that the Postal Service should not close any postal facilities or post offices until enactment of this postal reform bill.

So this is a sense of the Senate. The idea is we don't know exactly when the House is going to pass their bill, if they ever do. But we will have a sense of the Senate on the record.

The Postal Service's self-imposed moratorium expires May 15. Hopefully, this will give them time to extend this until a bill is passed. If this bill does pass—and I hope it does—this is a major reset for the Postal Service, and I hope much of the rationale for closing these offices goes away with the passage of this bill.

Madam President, I would love to have a voice vote on this, if that is possible.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank my friend from Arkansas. This is a good amendment, and I support it wholeheartedly and move its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2036) was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

AMENDMENT NO. 2073, AS MODIFIED

Mr. LIEBERMAN. We will now go to Senator ROCKEFELLER's amendment No. 2073.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. ROCKEFELLER. I call up my amendment No. 2073, and ask unanimous consent that it be modified with the changes that are at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER] proposes an amendment numbered 2073, as modified.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that further reading be dispensed with.

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

The amendment is as follows:

Beginning on page 16, strike line 8 and all that follows through page 23, line 6, and insert the following:

SEC. 105. MEDICARE EDUCATIONAL PROGRAM FOR POSTAL SERVICE EMPLOYEES AND RETIREES.

(a) EDUCATIONAL PROGRAM.—The Postmaster General, in consultation with the Director of the Office of Personnel Management and the Administrator of the Centers for Medicare & Medicaid Services, shall develop an educational program for Postal Service employees and annuitants who may be eligible to enroll in the Medicare program for hospital insurance benefits under part A of title XVIII of the Social Security Act (42

U.S.C. 1395c et seq.) (commonly known as "Medicare Part A") and the Medicare program for supplementary medical insurance benefits under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) (commonly known as "Medicare Part B"), the objective of which shall be to educate employees and annuitants on how Medicare benefits interact with and can supplement the benefits of the employee or annuitant under the Federal Employees Health Benefit Program.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize the Postal Service to require a Postal Service employee or annuitant (as defined in subsection (c)) to enroll in Medicare.

(c) DEFINITION OF POSTAL SERVICE EMPLOYEE OR ANNUITANT.—In this section, the term "Postal Service employee or annuitant" means an individual who is—

(1) an employee of the Postal Service; or

(2) an annuitant covered under chapter 89 of title 5, United States Code, whose Government contribution is paid by the Postal Service under section 8906(g)(2) of such title.

Mr. ROCKEFELLER. Madam President, as modified, this amendment would simply eliminate a very problematic provision in the underlying bill, provision section 105, but it has a very bad effect, and this would clear that up. It would shift onto Medicare and raise premiums for current postal workers and retirees in some cases by as much as 35 percent. There is more to it, but that is the bulk of it. So I would hope that it would be passed.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank the Senator from West Virginia.

Some questions were raised about parts of the bill relating to accessibility to Medicare by postal employees. I think there has been a good meeting of the minds with this modification. I support the amendment as modified and urge its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2073, as modified.

Amendment (No. 2073), as modified, was agreed to.

Mr. LIEBERMAN. Madam President, I move to reconsider the vote and to lay that motion on the table.

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

Mr. LIEBERMAN. Before we get to Senator ROCKEFELLER's second amendment, Senator COBURN has asked me to withdraw amendment No. 2059 on his behalf. I thank him for that.

AMENDMENT NO. 2074

We will now go to Senator ROCKEFELLER's amendment No. 2074.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

AMENDMENT NO. 2074, AS MODIFIED

Mr. ROCKEFELLER. Madam President, I call up my amendment No. 2074 and ask unanimous consent that it be modified with the changes that are at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER] proposes amendment numbered 2074, as modified.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that further reading be dispensed with.

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

The amendment is as follows:

(Purpose: To improve the Postal Service Health Benefits Program).

On page 12, strike line 18 and all that follows through page 16, line 7, and insert the following:

SEC. 104. POSTAL SERVICE HEALTH BENEFITS PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term “covered employee” means an officer or employee of the Postal Service who is—

(A) represented by a bargaining representative recognized under section 1203 of title 39, United States Code; or

(B) a member of the Postal Career Executive Service;

(2) the term “Federal Employee Health Benefits Program” means the health benefits program under chapter 89 of title 5, United States Code;

(3) the term “participants” means—

(A) covered employees; and

(B) officers and employees of the Postal Service who are not covered employees and who elect to participate in the Postal Service Health Benefits Program; and

(4) the term “Postal Service Health Benefits Program” means the health benefits program that may be agreed to under subsection (b)(1).

(b) COLLECTIVE BARGAINING.—

(1) IN GENERAL.—Consistent with section 1005(f) of title 39, United States Code, the Postal Service may negotiate jointly with all bargaining representatives recognized under section 1203 of title 39, United States Code, and enter into a joint collective bargaining agreement with those bargaining representatives to establish the Postal Service Health Benefits Program that satisfies the conditions under subsection (c). The Postal Service and the bargaining representatives shall negotiate in consultation with the Director of the Office of Personnel Management.

(2) CONSULTATION WITH SUPERVISORY AND MANAGERIAL PERSONNEL.—In the course of negotiations under paragraph (1), the Postal Service shall consult with each of the organizations of supervisory and other managerial personnel that are recognized under section 1004 of title 39, United States Code, concerning the views of the personnel represented by each of those organizations.

(3) ARBITRATION LIMITATION.—Notwithstanding chapter 12 of title 39, United States Code, there shall not be arbitration of any dispute in the negotiations under this subsection.

(4) TIME LIMITATION.—The authority under this subsection shall extend until September 30, 2012.

(c) POSTAL SERVICE HEALTH BENEFITS PROGRAM.—The Postal Service Health Benefits Program—

(1) shall—

(A) be available for participation by all covered employees;

(B) be available for participation by any officer or employee of the Postal Service who is not a covered employee, at the option solely of that officer or employee;

(C) provide coverage that is actuarially equivalent to the types of plans available under the Federal Employee Health Benefits Program, as determined by the Director of the Office of Personnel Management;

(D) be administered in a manner determined in a joint agreement reached under subsection (b); and

(E) provide for transition of coverage under the Federal Employee Health Benefits Program of all participants to coverage under the Postal Service Health Benefits Program on January 1, 2013;

(2) may provide dental benefits; and

(3) may provide vision benefits.

(d) AGREEMENT AND IMPLEMENTATION.—If a joint agreement is reached under subsection (b)—

(1) the Postal Service shall implement the Postal Service Health Benefits Program;

(2) the Postal Service Health Benefits Program shall constitute an agreement between the collective bargaining representatives and the Postal Service for purposes of section 1005(f) of title 39, United States Code; and

(3) participants may not participate as employees in the Federal Employees Health Benefits Program.

(e) GOVERNMENT PLAN.—The Postal Service Health Benefits Program shall be a government plan as that term is defined under section 3(32) of Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(32)).

(f) REPORT.—Not later than June 30, 2013, the Postal Service shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives that—

(1) reports on the implementation of this section; and

(2) requests any additional statutory authority that the Postal Service determines is necessary to carry out the purposes of this section.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as an endorsement by Congress for withdrawing officers and employees of the Postal Service from the Federal Employee Health Benefits Program.

Mr. LIEBERMAN. Madam President, I support the amendment, as modified, and urge its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

Amendment (No. 2074), as modified, was agreed to.

AMENDMENT NO. 2050

Mr. LIEBERMAN. Madam President, next on the list is Senator SCHUMER's amendment No. 2050.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. I call up my amendment No. 2050.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 2050.

Mr. SCHUMER. I ask unanimous consent further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To maintain all current door delivery point services)

On page 48, strike line 3 and all that follows through the end of the matter between lines 5 and 6 on page 52.

Mr. SCHUMER. Madam President, there are more than 35 million house-

holds and businesses that receive door delivery in every State across the country. As originally written, the postal reform bill would have pushed the Postal Service to stop delivering mail to individual doors and mailboxes. Instead, the Postal Service would install apartment complex style group boxes, where all the mail for a given street or neighborhood would be delivered to the boxes that were grouped together in one place. Rather than have mail delivered to their mailbox or door, homeowners could have been forced to travel further from their home simply to pick up the mail. My amendment simply preserves the same door delivery only for customers who already receive it. In other words, not for new complexes. But for existing houses, they should keep the delivery the way it is.

What some people may not know is the Postal Service already has the authority to eliminate door delivery, but the Postal Service has not mandated such a change because they know how unpopular it would be. By removing the door delivery provisions from this bill we can ensure the Postal Service will continue to provide the door delivery service our constituents expect and rely upon.

I urge my colleagues to support the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I urge the adoption of the amendment by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2050) was agreed to.

Mr. LIEBERMAN. Madam President, I move reconsideration and ask the motion be laid on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2071, AS MODIFIED

Mr. LIEBERMAN. Next will be Senator TESTER, amendment No. 2032. Senator TESTER is not on the floor right now. I know we were building up to Senator WARNER's amendment as the last amendment, but this may now be the second-to-last amendment. Next we will have Senator WARNER No. 2071.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Madam President, I ask to call up amendment No. 2071. There is an agreed-upon substitute text at the desk.

The PRESIDING OFFICER. The amendment is pending.

Mr. WARNER. I thank Chairman LIEBERMAN and Senator COLLINS for their help on this amendment. It is a simple amendment. One of the goals of this process is to encourage retirement expected for 100,000 members of the Postal Service. Unfortunately, now OPM has an over 50,000-person backlog of retirement claims. This is unacceptable. We still have a paper processing process. This amendment would require the

Postal Service to report on a regular basis, as well as OPM, on the status of these retirement processing claims and hopefully speed up this process and also compare it to the forms of other agencies. This is completely unacceptable to folks who are retiring, waiting sometimes up to a full year to get their retirement benefits. I thank the chairman and the ranking member and ask for acceptance of the amendment.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, I support this amendment. There is an inexcusable backlog at OPM in processing the application for retirement benefits. It has caused real hardships for some retired Federal employees and postal employees. This bill will obviously increase the number of postal employees who will be seeking retirement benefits so I think it is important we have the kind of reporting the Senator from Virginia has proposed.

I urge acceptance of the amendment. I urge it be accepted by the voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified.

The amendment (No. 2071), as modified, was agreed to.

Mr. LIEBERMAN. Madam President, I move for reconsideration and ask the motion be placed on the table.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2032

Mr. LIEBERMAN. The excitement builds now as we move to the last amendment. Senator TESTER has amendment No. 2032.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. TESTER. Madam President, I call up amendment No. 2032.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. TESTER], for himself and Mr. PRYOR, proposes an amendment numbered 2032.

Mr. TESTER. Madam President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To appropriately limit the pay of Postal Service executives)

At the appropriate place, insert the following:

SEC. ____ . EXECUTIVE COMPENSATION.

(a) LIMITATIONS ON COMPENSATION.—Section 1003 of title 39, United States Code, is amended—

(1) in subsection (a), by striking the last sentence; and

(2) by adding at the end the following:

“(e) LIMITATIONS ON COMPENSATION.—

“(1) RATES OF BASIC PAY.—

“(A) IN GENERAL.—Subject to subparagraph (B), an officer or employee of the Postal Service may not be paid at a rate of basic pay that exceeds the rate of basic pay for level II of the Executive Schedule under section 5313 of title 5.

“(B) VERY SENIOR EXECUTIVES.—Not more than 6 officers or employees of the Postal Service that are in very senior executive positions, as determined by the Board of Governors, may be paid at a rate of basic pay that does not exceed the rate of basic pay for level I of the Executive Schedule under section 5312 of title 5.

“(2) BENEFITS.—For any fiscal year, an officer or employee of the Postal Service who is in a critical senior executive or equivalent position, as designated under section 3686(c), may not receive fringe benefits (within the meaning given that term under section 1005(f)) that are greater than the fringe benefits received by supervisory and other managerial personnel who are not subject to collective-bargaining agreements under chapter 12.”.

(b) LIMITATION ON BONUS AUTHORITY.—Section 3686 of title 39, United States Code, is amended—

(1) in subsection (a), by striking “The Postal Service” and inserting “Subject to subsection (f), the Postal Service”; and

(2) by adding at the end the following:

“(f) LIMITATION ON BONUS AUTHORITY.—

“(1) DEFINITION.—In this subsection, the term ‘covered year’ means the fiscal year following a fiscal year relating to which the Office of Management and Budget determines the Postal Service has not implemented the measures needed to achieve long-term solvency, as defined in section 208(e) of the 21st Century Postal Service Act of 2012.

“(2) LIMITATION.—The Postal Service may not provide a bonus or other reward under this section to an officer or employee of the Postal Service in a critical senior executive or equivalent position, as designated under subsection (c), during a covered year.”.

(c) EFFECTIVE DATE; APPLICABILITY.—The amendments made by subsections (a) and (b) shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any contract entered or modified by the Postal Service on or after the date of enactment of this Act.

(d) SUNSET.—Effective 2 years after the date of enactment of this Act—

(1) section 1003 of title 39, United States Code, is amended—

(A) in subsection (a), by adding at the end the following: “No officer or employee shall be paid compensation at a rate in excess of the rate for level I of the Executive Schedule under section 5312 of title 5.”; and

(B) by striking subsection (e); and

(2) section 3686 of title 39, United States Code, is amended—

(A) in subsection (a), by striking “Subject to subsection (f), the Postal Service” and inserting “The Postal Service”; and

(B) by striking subsection (f).

Mr. TESTER. Madam President, this amendment is pretty simple. I thank Senator PRYOR for joining me on it. It basically is an amendment that reduces compensation for the senior executives at the Postal Service. It limits the six most senior Postal Service employees to a base salary no more than we pay our Cabinet Secretary, which is just a skosh under \$200,000. There are going to be some changes in the Postal Service. Some of these cuts are going to take place at the lower end, some in the middle management, some at the upper end.

To be fair, everybody needs to feel the pain and besides that, to be right fair, the Postmaster is an important job but so is the Secretary of Defense, Secretary of State, and others. I don’t

think we should be paying him more than what we do our Cabinet Secretaries. After all, the Postal Service is public service. I ask Senators’ concurrence on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, I thank my friend from Montana for his amendment. He explained it well and I urge its adoption by voice vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2032) was agreed to.

Mr. LIEBERMAN. Madam President, I move for reconsideration and ask that motion be laid on the table.

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

The motion to lay on the table was agreed to.

Mr. LIEBERMAN. Madam President, colleagues, we have completed all the amendments on the bill and we are ready to vote on final passage.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, the power of Congress to establish post offices is enshrined in our Constitution, and the U.S. Postal Service has been a valued institution since the earliest days of our Republic. Today, the Postal Service accounts for millions of jobs nationwide. It is essential that we have a viable and effective Postal Service in the long term. Unfortunately, the Postal Service is currently facing critical financial challenges that have been brought on by a number of factors, including the movement to electronic forms of communication. This situation requires immediate attention of Congress.

The bill we are voting on today, the 21st Century Postal Service Act, is not perfect. I am particularly disappointed that the Senate did not agree to an amendment that I supported that would have preserved 6-day delivery, and I am concerned that a permanent switch to 5-day delivery could lead to the further erosion of jobs and the undermining of the Postal Service. However, it is clear that we cannot afford to do nothing. Congressional inaction, coupled with the extreme measures being pushed by the Postal Service’s leadership, will result in drastic changes that would seriously undermine our Nation’s mail system, beginning with the closure of a number of post offices and mail processing facilities across the country. I am concerned that the changes sought by the Postal Service’s leadership will severely undermine the Postal Service’s long-term viability and threaten thousands of good jobs. We cannot allow that to happen.

The 21st Century Postal Service Act includes a number of important provisions designed to put the Postal Service back on solid footing. It will allow for the refunding of overpayments by the Postal Service to the Federal Employees Retirement System and ease

the prefunding requirement for the Postal Service's retiree health benefits. It also strengthens the review process for closing post offices and facilities and encourages innovation by the Postal Service to improve its business model with the goal of returning to profitability.

I am also concerned that the version of postal reform legislation that is eventually passed by the House of Representatives could prove to be very damaging. When the Senate considers the final version of postal reform legislation that is negotiated by the two Chambers, I will carefully consider the changes that have been made before lending my support to its passage.

Ms. SNOWE. Madam President, I rise support of my amendment, which has been modified in consultation with the managers of the Postal Reform bill, S. 1789. I am very pleased that both Chairman LIEBERMAN and Ranking Minority Member COLLINS have agreed to accept my amendment to further strengthen the segment of the bill governing proposed consolidations for the Postal Service's processing and distribution facilities.

With my amendment as part of the underlying bill, the Postal Regulatory Commission, PRC, will now independently verify the Postal Service's methodology and estimated costs savings from proposed plant consolidations. In other words, starting with those facilities currently under review, the Postal Service will no longer have unchecked authority to close or consolidate these important facilities.

The Postal Service has unfortunately proven itself unable to make these decisions, many of which have far-reaching implications for the quality of service of postal customers, without proper oversight, fact-checking and third-party verification.

As part of a major restructuring of the Postal Service's mail delivery infrastructure, Postmaster General Donahue proposed closing and consolidating 232 mail processing and distribution facilities across the United States. Unfortunately for the people of Maine, his proposal included the consolidation of the Eastern Maine Processing and Distribution Facility in Hampden into the Southern Maine Processing and Distribution Facility located in Scarborough.

This was a fundamentally flawed proposal from its inception. The Eastern Maine Processing and Distribution Facility, located approximately 144 miles away from Maine's other mail processing facility in Scarborough, ME, currently processes mail destined for eastern, western, and northern Maine. Without this facility, mail service to communities, families, the elderly, and businesses throughout most of Maine would be severely delayed.

I strongly opposed this proposed consolidation from the beginning. In December, I visited the facility and met with the plant's manager and employees. During the visit, I conveyed my

strenuous opposition to the plan and questioned the ability of the Postal Service to save money by shifting jobs from Hampden to Scarborough.

As part of its consolidation process, the Postal Service holds public meetings in communities facing the loss of a Processing and Distribution facility. For Hampden, the Postal Service held a public meeting on January 11 2012, which I attended, along with approximately 300 other Mainers, all of whom opposed the Postal Service's recommendation.

In advance of the public meeting, my staff carefully reviewed the Postal Service's Area Mail Processing—AMP—report, which contained the estimated cost savings for consolidating the Hampden facility. In reviewing the AMP report, we discovered a very large mathematical error.

The Postal Service originally claimed that eliminating two white collar management positions at the plant would save almost \$800,000. When my office started asking questions about this, the Postal Service backtracked to claiming that eliminating these jobs would save only \$120,000 in advance of its public meeting.

Shockingly enough, the Postal Service's final AMP report which was released in February retained the obviously mistaken claim that eliminating these two positions saved almost \$800,000. In all, the Postal Service has resumed mistakenly claiming almost 400 percent more in savings than would be accurate.

Under my amendment, if a local community is opposing a proposed consolidation, it can appear that recommendation to the Postal Regulatory Commission—PRC—which will be able to independently review the Postal Service's methodology and estimated cost savings to guard against facilities being closed due to faulty calculations by the Postal Service. If the PRC concludes that the AMP report was mistaken or inaccurate, the PRC has the authority to prevent closure or consolidation from moving forward until the facts are corrected.

With my amendment being added to the underlying bill, local communities will now be assured of an even playing field and a thorough and accurate assessment of the impact of any closure or consolidation.

In closing, I wish to thank the managers of the bill for accepting my amendment and I urge the Senate to adopt it by voice vote.

Mr. LEVIN. Madam President, while the amended bill before us is far from perfect, I will vote in support. Failure to pass a bill could result in the Postal Service pursuing a misguided course of post office and facility closures. Such a dramatic course would irreparably harm the ability of the Postal Service to provide postal services and would in fact, threaten the viability of the US Postal System. While, as a whole, the USPS needs to be a rate-payer supported organization, not every post of-

ice needs to post a profit. In fact, while some post offices are too small to turn a profit, they are still an important part of the Postal System and a vital part of their community. And, based on the estimates I have seen, the projected cost-savings from the proposed closing of the 3,700 post office locations would offset but a tiny part of the USPS's current financial problems. These closures would deliver a painful blow to the communities they serve, but would reduce the Postal Service's deficit by less than 1 percent.

The bill includes an amendment that I offered with Senators Tester and Franken that requires that substantial economic savings be shown before a post office or processing facility is closed and clarifies that a proposed closure shall be suspended during appeal to the Postal Regulatory Commission, PRC. This amendment will help ensure that any post office and facility closures do not unduly impact a community's access to postal services and that any such closure is economically justified.

There is no doubt that the Postal Service has faced a decline in first class mail volume over the past few years and will need to make significant adjustments in the future. I am hopeful that the Postal Service will work with Congress as the mail system continues to transform so that postal services can be continued and to ensure that the Postal Service is able to offer new and innovative services so it can remain viable in the 21st Century.

Mr. GRASSLEY. Madam President, I will vote for S. 1789, the 21st Century Postal Service Act, because it is undeniable that the Postal Service is facing a crisis and something must be done very soon. There are those who say that this bill goes too far in reforming the Postal Service and implementing uncomfortable changes, and then there are those who say that this bill does not go far enough in transforming the Postal Service to be viable in the long term. I agree that this bill is not perfect. It is a compromise so just about everyone can find something in it to dislike. However, unless we do something to help the Postal Service cut costs, the borrowing authority of the Postal Service will run out in the fall and it will be unable to make payroll. I will support this bill, imperfect though it is, because we need to make progress in addressing this looming crisis now. Otherwise, if we wait much longer, we will be faced with a choice between a shut-down of mail service across our country or a massive taxpayer bailout, both of which would hurt the economy and take money out of the pockets of hardworking Americans.

Mr. LIEBERMAN. Madam President, I urge my colleagues to vote "yes" on S. 1789 and give the Postal Service both the financial footing and the business tools it needs to compete in this new communications age.

Let's start by facing facts. USPS is losing business and losing money. If we

do nothing, on May 15th the Postmaster will be allowed to implement his own downsizing plan, which is far more severe than this bill allows and will lead to a loss of jobs and services that could be painful in this fragile economy, especially to our small towns and rural communities.

We have another choice.

To all my colleagues who say they are worried about the burdens the Postmaster's proposal to close 3,700 post offices will impose on families and businesses of their states, I say: "Vote for this bill."

It requires the Postal Service issue service standards that ensure communities throughout the country have access to retail postal services, and requires offering alternatives to closures, such as reduced hours at existing facilities, or permitting private contractors or rural carriers to provide services.

To all my colleagues who worry about the loss of postal processing facilities in their states, and the jobs and services that will go with them, I say: "Vote for this bill."

While it permits the Postal Service to eliminate excess capacity, it also requires it to maintain an overnight delivery standard—although for somewhat smaller geographic areas. And the maximum standard delivery time—3 days for a letter mailed anywhere in the continental United States—would remain unchanged.

That means fewer plant closings.

To all my colleagues who worry about the loss of Saturday delivery, I say: "Vote for this bill," which takes a responsible, balanced approach to this difficult issue.

The bill prohibits implementation of 5-day delivery for 2 years and requires the Postal Service to determine if the other cost-saving measures in this bill have made cancelling Saturday service unnecessary—and to tell us how it plans to cushion the impacts on the businesses and communities it serves if it decides to go to five days.

Only if the Comptroller General and the Postal Regulatory Commission review the evidence and conclude that the change is necessary, will the switch to 5-day service be allowed.

To all my colleagues who worry about the Postal Service's bleak financial outlook, I say: "Vote for this bill," which provides crucial financial breathing room to help ward off some of the drastic cuts I just spoke of.

First, not one dollar of taxpayer money is being used. This is not a postal "bailout."

Roughly \$11 billion in USPS overpayments to the Federal Employee Retirement System will be refunded and used to encourage its 100,000 workers at or near retirement age to take voluntary buyouts that could save \$8 billion a year.

Money left over can also be used to retire debt.

The bill also reduces the amount the Postal Service has to pay each year to

prefund its Retiree Health Benefits, by amortizing its liability over the next 40 years.

This will significantly cut the \$5.5 billion annual payment USPS has been making, while still assuring there will be sufficient funds to meet the commitments for future retirees' health benefits.

To all my colleagues who worry that the Postal Service just isn't relevant in the 21st Century, I say: "Vote for this bill," which gives the Postal Service tools to bring in fresh revenues by offering new products and services, such as contracting with state and local governments to issue state licenses, shipping beer, wine and distilled spirits, and creating specialized Internet services.

It also sets up a blue ribbon panel to develop a new strategic blueprint for the Postal Service for this new age.

Finally, in many ways the debate over postal reform is a mirror of the overall budget debate—but writ small.

We confront a financial crisis that could wreak havoc on our economy were the Postal Service to run out of money and be forced to severely slash services. Yet no one wants to cut any services or raise any rates on anybody.

This bill will not solve all the problems that confront the Postal Service, but it is a beginning. This bill represents a clear-eyed and pragmatic way forward for the Postal Service—one that avoids panic or complacency.

It is the kind of balanced and bipartisan approach we will need to deal with the even bigger problems with fast-approaching deadlines racing towards us—like the expiration of the Bush tax cuts and the sequestration of military funding.

So to my colleagues who worry about our ability to get big things done and who want to prove to the American people—and ourselves—that Congress can rise above partisan and parochial interests and work for the good of all Americans, I urge you to pass this bill.

I do want to thank the three colleagues on our committee—Senator COLLINS, Senator CARPER, Senator BROWN—for the work everyone did to bring about a bipartisan bill that will bring necessary change to the Postal Service in order to save it. Make no mistake about it, this bill will bring the change that the post office needs to stay alive, serving the people and businesses of our country.

Here is the bottom line. The Postal Service itself says that within 3 years, as sections of this bill are phased in, they will reduce their cost of operating by \$19 billion and probably in the year after that they will go into balance. That is what this bill will accomplish.

I again thank my colleagues on the committee and the staffs of both sides and the floor staffs on both sides for the extraordinary work over a long period that was done to get us to this point.

We still need 60 votes to pass this bill. I appeal to my colleagues to do so,

with a feeling of confidence that we have met a problem here together and have offered a solution that will fix the problem for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Madam President, I believe the odds of our getting the 60 votes for final passage are increased if I make my statement later, rather than delivering it right now. I will deliver my statement after the vote, but I do wish to thank Senator LIEBERMAN, Senator SCOTT BROWN, Senator CARPER, all the staffs who have worked so hard.

Today, assuming we get those 60 votes, we have proven the Senate can tackle an enormous problem in a bipartisan way and make real progress on an issue that matters to our economy and to the American people.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. I thank the leaders for their excellent work and the people who joined them. I think the policy has been debated well. I do wish to say, at the beginning there was discussion that there be a 60-vote threshold at the end and that some of the amendments might improve the funding aspect. I still want to say one more time that a vote for this bill is a vote to increase our deficit this year by \$11 billion and a vote to violate the Budget Control Act that we just passed last year.

I appreciate the work. I do wish we had worked to pay for this. We have not done that. I would like to remind everyone voting for this that we are, in fact, adding \$11 billion to our deficit, more so than was laid out by the Budget Control Act.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Madam President, I wish to take a moment to congratulate both the chairman, Senator LIEBERMAN, and the ranking member, Senator COLLINS, for handling a very difficult bill. It is, in my view, the way we ought to legislate. We had a number of amendments that were important to our Members. We are glad they had an opportunity to offer them. I wanted to just take a moment to congratulate Senator COLLINS and Senator LIEBERMAN for a very skillful job handling this very difficult piece of legislation.

Mr. LIEBERMAN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, the substitute amendment, as modified and amended, is agreed to.

The question is on the engrossment and third reading of the bill.

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the question occurs

on S. 1789, as amended. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 37, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—62

Alexander	Franken	Murray
Baucus	Gillibrand	Nelson (NE)
Begich	Grassley	Nelson (FL)
Bennet	Hagan	Pryor
Bingaman	Harkin	Reed
Blumenthal	Hoeven	Reid
Blunt	Inouye	Roberts
Boozman	Johnson (SD)	Sanders
Boxer	Kerry	Schumer
Brown (MA)	Klobuchar	Shaheen
Brown (OH)	Kohl	Snowe
Cantwell	Landrieu	Stabenow
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Casey	Levin	Udall (NM)
Cochran	Lieberman	Warner
Collins	McCaskill	Webb
Conrad	Merkley	Whitehouse
Coons	Mikulski	Wicker
Durbin	Moran	Wyden
Feinstein	Murkowski	

NAYS—37

Akaka	Hatch	Menendez
Ayotte	Heller	Paul
Barrasso	Hutchison	Portman
Burr	Inhofe	Risch
Chambliss	Isakson	Rockefeller
Coats	Johanns	Rubio
Coburn	Johnson (WI)	Sessions
Corker	Kyl	Shelby
Cornyn	Lee	Thune
Crapo	Lugar	Toomey
DeMint	Manchin	Vitter
Enzi	McCain	
Graham	McConnell	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for passage of the bill, the bill, as amended, is passed.

The bill (S. 1789), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. LIEBERMAN. Madam President, with the passage today of S. 1789, we have given the United States Postal Service—created more than two centuries ago in the age of inkwells and quill pens—the tools to thrive in the age of e-mail and the Internet.

Overall, about 8 million jobs hung in the balance, as well as the needs of every household and business in America that depends on the Postal Service to deliver everything from medicines to spare parts.

Passage of this bill is a bipartisan victory that reflects well on the Senate and I want to take this moment to thank the many dedicated staff, from the majority and minority who helped make it possible.

From my staff on the Homeland Security and Governmental I would like to thank Beth Grossman, Deputy Staff Director and Chief Counsel; Larry Novey, Chief Counsel for Governmental Affairs; Kenya Wiley, Staff Counsel;

Mike Alexander, Staff Director; Holly Idelson, Senior Counsel; Jason Yanussi, Senior Professional Staff Member; Leslie Phillips, Communications Director; Sara Lonardo, Press Secretary; Scott Campbell, Communications Advisor; Rob Bradley, Legislative Aide, and Staff Assistant Nick Trager.

From Senator COLLINS' staff, I would like to thank Katy French, Deputy Staff Director; John Kane, Professional Staff Member; Katie Adams, Professional Staff Member; Cassie D'Souza, detailee from the Postal Regulatory Commission; Nick Rossi, Staff Director and E.R. Anderson, Press Secretary.

From our Federal Financial Management Subcommittee, which is chaired by Senator CARPER and Ranking Member SCOTT BROWN, I also want to thank John Kilvington, Staff Director for the majority and Justin Stevens, Professional Staff Member, from the minority.

And I would also like to thank all of the staff for the majority and minority leaders, especially Gary Myrick and Tim Mitchell and Dave Schiappa who of course make everything happen on the floor of the Senate.

Thomas Jefferson once asked the question: "What duty does a citizen owe to the government that secures the society in which he lives?"

Answering his own question, Jefferson said: "A nation that rests on the will of the people must also depend on individuals to support its institutions if it is to flourish. Persons qualified for public service should feel an obligation to make that contribution."

These dedicated staff members answered Jefferson's call to duty and I am proud to be able to work with such people.

Negotiations on the contours of the bill that would become S. 1789 began last October with members of Ranking Member COLLINS' and Senator CARPER's staffs.

The goal was to create a bipartisan bill that would gain support first in the Committee and then on the floor of the Senate.

Today's vote to pass S. 1789 shows the long nights and weekends that went into this bill were worth it.

So again, my thanks to our staffs and for all the work you do for the American people.

Ms. COLLINS. Madam President, this is an important victory for the U.S. Postal Service and the American economy.

The Postal Service is the linchpin of a \$1.1 trillion mailing and mail-related industry that employs nearly 8.7 million Americans in fields as diverse as mail, printing, catalog companies and paper manufacturing. Those industries and the jobs they sustain are in jeopardy.

The Postal Service lost \$13.6 billion over the past two years and has seen a 26 percent drop in first class mail since 2006.

But today we have begun to right the ship.

There is still much work to be done, including working with our colleagues in the House to present the President with a bill he can sign.

Nevertheless, I appreciate the solid bipartisan support that this bill received. It's gratifying that so many of my colleagues understand that the Postal Service should not choose the destructive path of cutting service and raising prices.

This vote sends the message that we can't allow the Postal Service to drive customers away to other communication options. Once they leave the mail system, they won't be coming back, and the Postal Service will be sucked further into a death spiral.

As we move toward a conference with the House, we must continue to resist ill-conceived policy changes. We must avoid short term "fixes" that undermine service and thus jeopardize the long-term sustainability of this American institution.

Today's vote is also a win for bipartisanship.

Americans are rightly frustrated about what many feel is a dysfunctional Congress. With enormous problems facing our country and Congress having little to show by way of accomplishments, the process we've just completed on this bill demonstrates that it is sometimes possible for Congress to do more and bicker less.

Today we see what can happen when Republicans and Democrats work together; when Senators from big states and small find common ground. We can achieve important policy for those who sent us here.

I want to thank Senator MCCONNELL for working with us so well to preserve an amendment process that fostered healthy debate and allowed our colleagues to get votes on their priorities. Of course, I must also thank Majority Leader REID for pushing hard to resolve differences in order to create a successful process once the bill was brought to the floor. I know that we would not have had the support that we had for final passage of this bill without the Leaders working together to ensure an amendment process that was fair and reasonable.

As always, Chairman LIEBERMAN's commitment to bipartisanship is unmatched, and it's making him extremely busy and productive in his last year in the Senate. This marks the third bill we have shepherded through to Senate passage in this Congress. I hope to work with him successfully on at least one more bill—cybersecurity.

Senator SCOTT BROWN has already built an impressive record as a key voice for both postal reform and the STOCK Act. I appreciate his partnership on both of these important measures. He has become an independent leader for common sense and I thank him.

I appreciate Senator CARPER's leadership on this bill. We have been working together on postal issues for many years, and I am grateful for his expertise and dedication.

My bipartisan cosponsors and I consulted extensively with postal customers, both business and residential, postal workers, and local communities deeply committed to preserving their postal facilities. We could not have gotten this bill passed through the Senate without their important contributions, cooperation, creativity and support.

This bill would not have been possible without the hard work and dedication of our staff, and I'd like to recognize some of them personally.

Katy French, John Kane, Katie Adams, and Cassie D'Souza on my staff, have been working for four months as if this bill were coming to the floor the next day. My Committee staff director, Nick Rossi, press secretary, E.R. Anderson, and other members of our team have ably supported them. Justin Stevens on Senator SCOTT BROWN's staff has been an incredible partner as well.

Their colleagues across the aisle were models of hard work and collegiality, and I want to thank them, especially the Chairman's staff, Mike Alexander, Beth Grossman, Kenya Wiley, and Larry Novey, and John Kilvington of Senator CARPER's staff. I know it's been hard work, but the staff have the highest level of professionalism, collegiality, patience with each other and the process and it's made the challenge of bringing this bill to the floor a rewarding one.

Finally, I can't thank enough the long-suffering floor staff, who have been incredibly patient, helpful and have gone out of their way to serve many competing agendas with grace. Thank you especially to David Schiappa with Senator McCONNELL's staff and his team in the Republican cloakroom, and Gary Myrick and his team, with the Majority Leader.

Our work isn't done. Today is just the first step on a long road ahead. We must move a bill to the President's desk. The House has a bill that awaits floor consideration. We will come together for a conference process. More compromises will have to be made along the way. But we can't forget the urgency of our task—saving the Postal Service for the next generation of Americans.

Mr. BROWN of Massachusetts. Madam President, I thank my colleagues for their support on final passage of this critical piece of legislation.

This is an important first step forward towards putting the Postal Service on a path for solvency and success in the future.

The long-term survival of the Postal Service is an issue that touches every single home, community, and business in this country, including in my home State of Massachusetts. Its poor financial health is a real problem.

There is an envelope company in Worcester that has had to recently lay off almost a third of its workforce because incoming orders have dropped by a quarter from last year. The owner

says his customers have told him that they have stopped mailing because of the unknown future of the Postal Service. This is but one example of the impact that a failing Postal Service has on businesses large and small across the country.

So, that is why I am so pleased that we can show the American people that, yes, once again the U.S. Senate can come together in a bipartisan manner and solve real problems.

In a Congress infamous for gridlock and division, the passage of this bill is proof positive of the results when we work together in good faith.

Reforming the Postal Service is no easy task and there are no easy answers. Millions of jobs, a trillion-dollar mailing industry, and an institution as old as this Nation are all at stake.

But this shows that a majority of Members here knew that resolving the crisis at the Postal Service would require a balanced approach, some difficult decisions, and a lot of compromise to see a bill passed.

We all recognize the new business environment that the Postal Service operates in, but we also know that the focus had to be on helping the Postal Service sustain their customer base in that environment, not surrender to it.

I am proud of this bill and the example this sets for the power of bipartisanship for the rest of this session.

The other cosponsors—Senators LIEBERMAN, COLLINS, and CARPER have been setting this example for some time. I have been proud to be in their company on this bill and thank them for their leadership on this important issue.

With the recent passage of the STOCK Act and the crowdfunding bill, I feel like we have all been on kind of a streak lately. I hope that it continues and that our colleagues in the House can now take our lead and pass a balanced postal reform bill as well. The Postal Service is running out of time and they cannot afford any further delay.

Mr. MCCAIN. Mr. President, I voted against S. 1789 because short-term financial relief for the Postal Service that will ultimately lead to a taxpayer bailout is no longer acceptable. According to the Postal Service, S. 1789 "does not provide the Postal Service with the speed and flexibility it needs to achieve the \$20 billion in cost reductions" and they will need additional legislative action in 2 to 3 years.

The bill is designed to keep the current failing Postal Service business model in place by halting the structural changes the Postal Service says it needs to ensure its long-term viability. Instead of the Senate dealing with the real problems, such as 80 percent labor costs and consolidating the excess retail network of the Postal Service, the bill continues to allow no-lay-off clauses in union contracts, will lock in unsustainable mail service standards, and place new litigious processes, restrictions, regulations, and appeals

that will make it impossible for the Postal Service to close and consolidate underutilized post offices and mail-processing facilities. These roadblocks fly in the face of the hard reality that the Postal Service lost \$13 billion in the past 2 years due to its failing business model and the changes in the way the American public communicates.

S. 1789 also prevents the Postal Service from moving to 5-day delivery, at a savings of anywhere from \$1.7 to \$3 billion annually and is one of the largest single steps available to restore their financial solvency. The Postmaster General has been coming to Congress since 2009 asking for this flexibility, and the American people overwhelmingly support this move. The Senate, however, chose to protect the 6-day delivery of junk mail even with first-class mail, which makes up more than half of postal revenues, on a downward spiral with no sign of recovery.

Finally, this bill continues the harmful practice of passing bills that are not paid for. S. 1789 has at least five budget points of order against it, and instead of being fiscally responsible and pay for this bill as promised, the Senate agreed to move forward and stick the American taxpayer with the tab. If we are not willing to keep our promise and abide by the spending limits we put in place, we are not really serious about fixing our countries financial problems.

Congress can no longer enact temporary fixes that avert financial crisis for only a brief period. If we continue to act in this irresponsible way, the American taxpayer will be the one that ultimately suffers in the form of higher postage prices and taxpayer bailouts. We must make hard choices now so future generations of Americans will have a viable Postal Service.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. REID. Madam President, there are a number of issues we are trying to resolve and we are going to try to do that as quickly as possible and notify the Senate as to what is going to happen next. At this stage, I don't know, but we are working on it. So I 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. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 1925

Mr. LEAHY. Mr. President, I ask unanimous consent that following the adoption of the motion to proceed to S. 1925, the Senate be in a period of debate