

Congress of the United States

Washington, DC 20515

December 20, 2012

The Honorable Joe Lieberman
Chairman
Committee on Homeland Security and
Governmental Affairs
U.S. Senate

The Honorable Darrell Issa
Chairman
Committee on Oversight and
Government Reform
U.S. House of Representatives

The Honorable Susan Collins
Ranking Member
Committee on Homeland Security and
Governmental Affairs
U.S. Senate

The Honorable Elijah Cummings
Ranking Member
Committee on Oversight and
Government Reform
U.S. House of Representatives

Dear Committee Chairmen and Ranking Members:

We write to express our serious concerns in regard to legislative proposals seeking to implement severe, arbitrary, and retroactive, across-the-board cuts to Federal workers' compensation benefits. Since enacting the landmark Federal Employees' Compensation Act (FECA) of 1916, our Nation has protected America's civil servants and their dependents from the damaging economic consequences associated with workplace injury or death.

We strongly oppose using postal reform legislation to push through a FECA overhaul. Making cuts to benefits which adversely impact the Federal workforce in all three branches of government does not belong in a bill which is otherwise exclusively limited to reforms to the U.S. Postal Service. Further, any such redesign of workers' compensation should be undertaken in a careful, deliberative manner, based on thorough analysis provided by the U.S. Government Accountability Office (GAO) and other experts.

As you know, GAO found that the types of FECA cuts previously proposed by the Department of Labor and contained in the 21st Century Postal Service Act (S. 1789), would cut workers' wage replacement benefits by up to 33 percent at retirement age. These proposals accomplish this by cutting wage loss compensation at retirement age to 50 percent compared with current levels of 66-2/3 percent for individuals and 75 percent for those with dependents.

The stated assumption for these proposed cuts is that workers who are injured under FECA garner a larger benefit at retirement age than if they had worked a full career, creating a disincentive against getting workers back on the job, and providing them with an unfair advantage over those Federal employees who worked a full career. However, according to these recent GAO reports, assumptions made by the Department of Labor and relied upon by the Senate, were not well founded.


There are currently 42,000 workers receiving workers' compensation benefits under FECA for partial or total disability. Another 4,200 survivors depend on these benefits for spouses who were killed in the line of duty. Some 11,000 workers past retirement age are now getting long term disability, many of whom experienced traumatic injuries, such as prison guards who have been

viciously assaulted or postal workers who developed incapacitating injuries working in mail handling facilities.

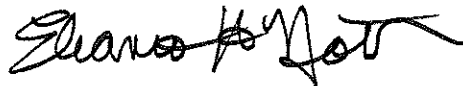
The House has demonstrated that Congress can proceed in a bipartisan basis on FECA reform. If the Senate acts to take up and pass the Federal Workers' Compensation Modernization and Improvement Act (H.R. 2465) – a bipartisan measure that passed the House by voice vote – we could make program integrity improvements, modernize elements of the law that have not been updated since 1949, and save taxpayer dollars. With these new GAO reports in hand, Congress should be patient and allow the House Committee on Education and the Workforce time to review GAO's findings, and carefully redesign benefits through regular order.

We respectfully request that you reject any efforts to use postal reform as a vehicle to institute arbitrary, across-the-board, and retroactive, cuts to FECA beneficiaries. We should not be ramming through broad reforms based upon judgments made with insufficient evidence and inadequate analysis. We thank you for your consideration of our request.

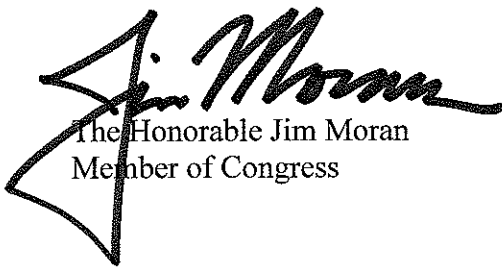
Sincerely,



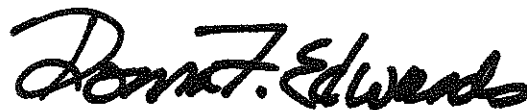
The Honorable Gerry Connolly
Member of Congress



The Honorable Eleanor Holmes Norton
Member of Congress



The Honorable Jim Moran
Member of Congress



The Honorable Donna Edwards
Member of Congress

Letter to Committee Leadership
December 20, 2012
Page 3 of 3

CC:

The Honorable Tom Carper
Chairman
Subcommittee on Financial Management, Government Information, Federal Services and
International Security
Committee on Homeland Security and Governmental Affairs
U.S. Senate

The Honorable Scott Brown
Ranking Member
Subcommittee on Financial Management, Government Information, Federal Services and
International Security
Committee on Homeland Security and Governmental Affairs
U.S. Senate

The Honorable Dennis Ross
Chairman
Subcommittee on the Federal Workforce, U.S. Postal Service and Labor Policy Subcommittee
Committee on Oversight and Government Reform
U.S. House of Representatives

The Honorable Stephen Lynch
Ranking Member
Subcommittee on the Federal Workforce, U.S. Postal Service and Labor Policy Subcommittee
Committee on Oversight and Government Reform
U.S. House of Representatives

The Honorable John Kline
Chairman
Committee on Education and the Workforce
U.S. House of Representatives

The Honorable George Miller
Ranking Member
Committee on Education and the Workforce
U.S. House of Representatives