

they can make up lost time on their pensions if they want to pay more into it. It does an awful lot for low- and medium-paid employees so that they can make up for the fact, if they want to save more for retirement, that the present 25-percent limit doesn't allow them to do that.

The bottom line is, why would any President want to veto such a good bill?

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, in keeping with the back and forth, would it be all right for me to speak for up to 15 minutes?

Mr. REID. Mr. President, I want to be as agreeable as possible, but the Senator from Idaho took 15 minutes instead of 10 minutes, and the Senator from Iowa took 15 minutes rather than 10 minutes, and I called my friend from Wisconsin, who rushed over here and dropped everything to speak.

Mr. FEINGOLD. Mr. President, I ask if I could have unanimous consent to speak for 30 minutes after the conclusion of the remarks of the Senator from Ohio.

The PRESIDING OFFICER. Without objection it is so ordered. The Senator from Ohio is recognized.

CHANGE OF VOTE

Mr. VOINOVICH. Mr. President, on rollcall vote No. 289, I inadvertently voted yea, when I intended to vote nay. I ask unanimous consent that on rollcall vote No. 289, I be permitted to change my vote from yea to nay, which in no way will change the outcome of the vote.

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

NOTHING TO BRAG ABOUT

Mr. VOINOVICH. Mr. President, this is the day the Lord has made; let us rejoice and be glad. This is Sunday, when it is the Sabbath for millions of Americans. Many of my colleagues have explained why we are here today, but I hope this is the last Sunday that the Senate, the U.S. Congress, is in session unless it is for a crisis of national or international concern. I hope this is the last Sunday that we would be here for anything but that.

Next Tuesday, the citizens of this nation will go to the polls and elect the next president of the United States. One of the first challenges that the new president will face is the need to recapture what has been lost for a generation of Americans: trust in the Federal Government.

The American people used to believe in the competence of the Federal Government to provide services and meet this nation's needs in a variety of ways. Unfortunately, in too many instances, this is not happening. Today, the Federal Government is held out as a source of scorn and ridicule.

The fact of the matter is that the Federal Government has brought most of this on itself through a gross inattention to management.

In 1993, Vice President GORE launched his "Reinventing Government" initiative. Purported to make government "work better and cost less," it had every intention to turn the diminished reputation of the Federal Government around.

However, this initiative will be remembered not for its modest accomplishments, but for missed opportunities. It has rejected bold efforts to reform Federal programs and personnel issues, and actually contributed to the growing human capital crisis that will be a major headache of the next administration.

It will be one of the most formidable tasks of the next administration.

As we have all seen, the Vice President is trying to run away from the label of being for "Big Government." In recent remarks in Arkansas, and in the presidential debates, he pointed to Reinventing Government as proof that he favors small government.

He claims credit for shrinking the Federal Government by 300,000 positions. In the third Presidential debate held earlier this month, the Vice President boasted that, due to his efforts, the Federal Government is "now the smallest that it has been since . . . John Kennedy's administration."

The Vice President's record of reinventing government is second only to his record of inventing the Internet for genuine achievement and accuracy.

The truth is: more than 450,000 positions have been removed from the Federal Government since January 1993, not 300,000 as the Vice President claims. However, his offense lies not just in the fuzzy math but also in taking credit for reductions where he does not deserve it.

More than 290,000 of the personnel cuts that were made—64 percent of the total—came from the departments of Defense and Energy. These cuts were made at the end of the Cold War in the resulting Pentagon budget reductions, as well as through four rounds of military base closings.

My colleagues should be aware that this process began before the advent of the Clinton-Gore administration and existed independently of the Reinventing Government initiative.

Other significant personnel reductions were also independent of Reinventing Government, including 15,000 employees of the Federal Deposit Insurance Corporation who were downsized at the end of the savings and loan crisis, and 8,500 employees of the Panama Canal Commission—now just a force of seven after the canal's hand off to Panama.

In truth, most of the non-defense positions discussed by the Vice President have not been eliminated, but merely transferred to the private sector through Federal contracts and Federal mandates. Paul Light, of the highly-re-

spected Brookings Institution, has documented a "shadow workforce" of almost 13 million contractors, grantees, and state and local government employees who serve as a de-facto extension of the Federal workforce—yet without the oversight and accountability. Evidence suggests that oversight of the contractor workforce is poor, yet contract managers were targeted for downsizing by Reinventing Government.

Far more noteworthy than the Vice President's characteristic exaggerations, however, is the sorry state of the civil service seven years after Reinventing Government was initiated.

As chairman of the Senate Subcommittee on Oversight of Government Management, I have led an ongoing review of overall government performance. I have found an appalling lack of forethought by the Clinton-Gore administration toward workforce planning as well as the training and development of Federal employees. The "A-Team," the people who get the job done, and who, for the last 7 years, have been ignored.

In testimony earlier this year before my subcommittee, nonpartisan experts testified that inattention to management has taken a heavy toll on the ability of the Federal workforce to do the job the American people deserve and expect.

Don Kettl, from the University of Wisconsin, testified:

The problem is that we have increasingly created a gulf between the people who are in the government and the skills needed to run that government effectively.

Paul Light of the Brookings Institution put it more bluntly. He testified that the downsizing initiated by Reinventing Government:

Has been haphazard, random, and there is no question that in some agencies we have hollowed out institutional memory and we are on the cusp of a significant human capital crisis.

The U.S. General Accounting Office may well designate human capital as a Federal "high risk" area when it releases its next series on government high risk problems in January 2001. The numbers are alarming, and most of the people are not aware of this, even Members of this body.

Right now, the average Federal employee is 46 years old. By 2004, 32 percent of Federal employees will be eligible for regular retirement, and 21 percent more will be eligible for early retirement.

Taken together, more than half the Federal workforce—900,000 employees—could potentially leave in just 4 years. Obviously, if that happens, neither Vice President GORE nor Governor Bush would have any problems meeting their campaign promises regarding this nation's Federal workforce.

Regrettably, the Clinton-Gore administration squandered 7 years before getting serious about this potential retirement wave. Indeed, Reinventing Government targeted human resources,

contract oversight, financial management and other professionals for downsizing, leaving the Federal Government without the expertise it now needs to recruit talented, technology-savvy people to fill the coming vacancies.

When it comes to the achievements of Reinventing Government, Vice President GORE has nothing to brag about. In my opinion, this effort is a liability for the Vice President, not a feather in his cap. Reinventing Government has failed to improve Government management or confront the fundamental question of how the civil service should be deployed to serve our nation. Cutting costs by only cutting jobs fails to acknowledge the central concern Americans have with Government, and that is ineffective programs, Government waste, command and control policies, and in many instances just plain gridlock.

Agencies with less staff but the same workload only experience more of the bureaucratic meltdown which undermines the public trust and demoralizes the remaining Federal workforce.

Wouldn't it be better if we focused on putting the right individuals in the job the American people actually want the Federal Government to accomplish—missions such as strengthening our national defense, saving Social Security, and saving Medicare—and giving them the training they need to get the job done?

When I asked OMB how much money they spent on training, they said they didn't know. So my subcommittee did a survey of the Federal agencies and we asked them: How much do you spend on training? They didn't know. We did get letters back from a couple of agencies and they said: We know, but we won't tell you because if we do, you, Congress, will take the money away from us.

Mr. President, I am not advocating the Federal Government fill every vacancy, person for person. What we need to do is ensure that every Federal agency has assessed its current and future workforce needs and has planned accordingly. Agencies must have the flexibility to design the recruiting and training programs that will allow them to attract and retain quality personnel and ensure they are deployed in the most effective way. In other words, the Federal workforce should be treated as an investment, not an expense.

Earlier this year, when I had begun to examine the management of human capital in my subcommittee, I asked for the training budgets of all Federal agencies. As I mentioned, they did not know; they did not collect the information. That is incredible.

The coming human capital crisis creates an opportunity for the next administration to reshape the 21st century Federal workforce, to improve Federal performance and efficiency, and to invest in the people who make the Government run. My hope is that in 4 years the next President will

boast, not just of reducing the size of Government, but also of a well planned reorganization of Federal jobs, and of having equipped our Federal workforce to support a more focused and more streamlined Federal mission so they can work harder and smarter and do more with less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

A FEDERAL MORATORIUM ON EXECUTIONS

Mr. FEINGOLD. Mr. President, the last time the Federal Government executed someone was in 1963. That year, the Federal Government executed Victor Feguer, who had kidnapped and killed a young doctor. At 5:30 in the morning of February 15, 1963, at Fort Madison, IA, a Federal hangman tied a noose around Feguer's neck and put him to death.

Feguer's execution was the first and last Federal execution of the 1960s. In fact, the Federal Government has carried out executions fairly infrequently during the entire twentieth century. Only 24 Federal executions took place between 1927 and 1963. One-third of those were for wartime espionage or sabotage.

But, Mr. President, all of that is about to change. In the next 2 months, two inmates on Federal death row could become the first to be executed by the Federal Government in nearly forty years. Their names are David Hammer and Juan Garza.

As many of my colleagues recall, Congress modernized the federal death penalty in 1988 and then significantly expanded it in 1994. Those votes are about to have very real consequences. Like it or not, the national debate over the death penalty is actually intensifying and will build further next month, the months after that, and in the year to come.

And we should have this debate. We should have this debate, because the Federal Government is heading in a different direction from the rest of the country. The States have learned some serious lessons about the administration of capital punishment, and the Federal Government, above all, should learn from them.

After the Supreme Court's 1976 decision reinstating the death penalty, most States swept the cobwebs off their electric chairs and resumed executions. And most of these states have not looked back since. Just last year, the United States set the record for the number of executions in one year in this modern death penalty period: 98 executions. And already this year, there have been 70 executions in the United States.

But recently, in States all across America, awareness has been growing that the death penalty system has serious flaws and that its administration has sometimes been far from fair. From Illinois to Texas to North Carolina to

Pennsylvania, I believe that a consensus is building that there is a problem. Since the 1970s, 89 people—Mr. President, 89 people—who had been sent to death row were later proven innocent. Nine of these 89 were exonerated on the basis of modern DNA testing of biological evidence. Defendants have sometimes been represented by lawyers who slept during trial, were drunk during trial, or who were so incompetent that they were later suspended or disbarred. Prosecutorial and police misconduct sometimes have led to faulty convictions. The death penalty has been applied disproportionately to African Americans and the poor. The revelations of problems with the system mount. These are very real, serious problems that fail to live up to the fundamental principles of fairness and justice on which our criminal justice system is based.

Just last month, the Justice Department released data on Federal death penalty prosecutions. That Justice study showed racial and geographic disparities in the administration of the Federal death penalty. The study found that whether the Federal Government seeks the death penalty appears to relate to the color of the defendant's skin or the Federal district in which the defendant is prosecuted. Both the President and the Attorney General have acknowledged—they have acknowledged—that this data paints a disturbing picture of the Federal death penalty system. The Attorney General admits that she does not have answers to the questions raised by the DOJ report.

My colleagues may believe that the system is flawed, but some of them seem to fear that the people will object to efforts simply to address these inequities. The American people, however, are in fact ahead of the politicians on this, as they are on so many issues. A majority of the American people are troubled. They are troubled by these flaws in the death penalty system that they support a moratorium on executions. An NBC/Wall Street Journal poll taken this past July found that 63 percent of Americans supported a suspension of executions while questions of fairness are reviewed. And in a bipartisan poll released just this last month, 64 percent of Americans supported a suspension of executions while questions of fairness are reviewed.

Mr. President, as you have said and others have said, the Federal Government can often learn from the States. Let's apply that to the administration of the death penalty.

With so many nagging questions raised and still unanswered, how can the Federal Government go forward—how can the Federal Government go forward with its first execution in almost 40 years?

I believe it is unconscionable for the Federal Government to resume executions under these circumstances.

Earlier this year, I introduced two bills that would suspend executions