

guns were contradicted by their children. The study concluded that although many parents had warned their children about gun safety, there was still a significant possibility that they were misinformed about their children's actions with their guns.

Common sense tells us that when guns are secured, the risk of children injuring or killing themselves or others with a gun is significantly reduced. By passing legislation that would require that all handguns sold by a dealer come with a child safety device, such as a lock, a lock box, or technology built into the gun itself, we could significantly decrease the possibility of a child misusing a firearm. I urge my colleagues to take up and pass such sensible gun safety legislation.

REMEMBERING SEAN KENNEDY

Mr. SMITH. Mr. President, I rise today in remembrance of a young man whose life was cut short because of a tragic crime—a hate crime. I came to the Senate floor, 1 year ago today, to speak about a vicious attack that killed Sean Kennedy on May 16, 2007. He was just 20 years old. As I have done countless times in the past, I have again come to the floor to highlight the needless deaths of hate crimes' victims and the need to enact Federal hate crimes legislation.

Recently, I had the opportunity to speak to Sean Kennedy's mother Elke Kennedy. I had heard that Elke had read about her son in the CONGRESSIONAL RECORD and was grateful that someone had recognized his death and understood the need for hate crimes legislation. For every victim of a hate crime, many more family members and friends are impacted by the tragic loss. While I know the pain of losing a son, I can only imagine the grief Elke must have felt when someone took the life of her son simply for who he was. As a nation, what do we say to Elke and other family members who have lost a loved one to a hate crime? What salve do we have to offer them for their pain? I believe we could start by passing Federal hate crimes legislation to demonstrate our national commitment to ending bias-motivated crimes.

No parent should have to fear for their child's safety because of their sexual orientation and because our laws do not adequately protect them. It is the Government's first duty to defend its citizens, to defend them against the harms that come out of hate. Federal and State laws intended to protect individuals from heinous and violent crimes motivated by hate are woefully inadequate. Sean's death is an unfortunate reminder of this fact.

The Matthew Shepard Act would better equip the Government to fulfill its most important obligation by protecting new groups of people as well as better protecting citizens already covered under deficient laws. I believe that by passing this legislation and changing current law, we can lessen the very

impact of hate on our society. Moreover, for parents like Elke Kennedy and Judy Shepard, Matthew's mother, it will finally prove that their sons' deaths were not in vain.

REFORMING THE FEDERAL HIRING PROCESS

Mr. AKAKA. Mr. President, I would like to speak today about the broken hiring process in the Federal Government and the need to recruit and retain the next generation of Federal employees.

The Federal Government is the largest employer in the United States, but every day talented people interested in Federal service are turned away at the door. Too many Federal agencies have built entry barriers for younger workers, invested too little in human resources professionals, done too little to recruit the right candidates, and invented an evaluation process that discourages qualified candidates. As a result, high-quality candidates are abandoning the Federal Government. The Federal Government has become the employer of the most persistent.

This problem was forcibly brought home at a hearing on May, 8, 2008, of the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia entitled "From Candidates to Change Makers: Recruiting the Next Generation of Federal Employees," which I chair. The subcommittee heard testimony from the Office of Personnel Management, the Nuclear Regulatory Commission, the Merit Systems Protection Board, the Government Accountability Office, Federal employee unions, think tanks, a human resources consulting firm, and an expert in New Media marketing.

The Government Accountability Office's testimony pointed out the broad failures of agencies to address these issues and stated, "Studies by us and others have pointed to such problems as passive recruitment strategies, unclear job vacancy announcements, and imprecise candidate assessment tools. These problems put the Federal Government at a competitive disadvantage when acquiring talent."

The Office of Personnel Management OPM is supposed to be the leader in the Federal Government on personnel and human capital practices, but not enough is being done. OPM's answer is to offer a legislative proposal that would have the Federal Government rehire retired employees on a part-time or limited-time basis. This demonstrates a clear lack of focus on attracting the next generation of Federal workers and working to retain the current employees. OPM estimates that 30 percent of the Federal workforce—approximately 600,000 employees—will retire in the next 5 years. Rehiring former employees does not address the changing culture of job seekers.

Mr. Dan Solomon, the chief executive office of the marketing firm Virilion,

addressed the issue of developing recruitment strategies that are friendly to 25- to 35-year-old. Mr. Solomon laid out the challenge before Federal agencies in recruiting the next generation testifying, "younger people are a difficult group to reach and engage . . . bottom line: people looking for jobs are online and the government needs to be there to attract the best."

Reports and surveys from the Merit Systems Protection Board MSPB, the Partnership for Public Service, and the Council for Excellence in Government demonstrate that young people strongly desire to work in public service. Agencies need to meet young people where they are, and developing recruitment strategies, using online resources and streamlining the hiring process are essential to attracting the next generation of Federal employees. In the private sector, employers post jobs through many online venues and only require a resume and cover letter. Applying to the Federal Government should be accessible and easy.

There were many good suggestions made to improve the process. I believe that if OPM forced agencies to adopt those recommendations improvements would be made. For example, MSPB offered four sound recommendations that could significantly improve agencies' efforts if adopted. First, agencies should manage hiring as a critical business process, and not an administrative function that is relegated to the human resources staff. Second, agencies should evaluate their own internal hiring practices to identify barriers to high-quality, timely, and cost-effective hiring decisions. Third, employ rigorous assessment strategies that emphasize selection quality, not just cost and speed. Finally, agencies should implement sound marketing practices and better recruitment strategies, improve their vacancy announcements, and communicate more effectively with applicants.

Agencies can do this. The problem is not Congress. Since 2002, Congress has given agencies the flexibilities they need. Agencies no longer must rely on the rule of three or selecting only from the top three candidates who apply; they can use category ratings; and they can get direct hire authority from OPM. However, in many cases Federal agencies are not using these authorities. Neither is the competitive process the problem. The notion that merit system principles and veterans preference are barriers to hiring is wrong. These are good management practices that ensure agencies select qualified candidates and do not use discriminatory practices.

OPM has not done enough to force agencies to streamline their hiring processes and appeal to the next generation of employees. OPM developed the 45-day hiring model and Hiring Tool Kit to reduce the hiring time at agencies to 45 days and streamline internal processes. However, these have not reduced the number of complaints

from applicants about the length and complexity of the process. The 45-day model is 45 workdays or 9 weeks. Furthermore, agencies still require too much information up front from candidates instead of an approach that requires more information as the employee moves through the process.

Agencies need to adapt, just as the private sector has, to the culture of the next generation of Federal workers. Candidates should receive timely and informative feedback. Candidate-friendly applications that welcome cover letters and resumes should be implemented. And, more pipelines into colleges and technical schools need to be developed to recruit candidates with diverse backgrounds.

Witnesses from the hearing were committed to improving the process offered many recommendations to help agencies. However, these recommendations are not new and I am concerned that their efforts may be too little, too late. Agencies have the existing authorities to streamline their processes and some are already doing so, but it is not enough.

I am convinced that only through agency leadership that prioritizes this issue will any meaningful reforms take place. I will continue to press this administration to address this issue, and I encourage the next administration to take on the challenge of reforming the recruitment and hiring process to ensure that the Federal workforce is the greatest workforce in the world.

MEDICARE

Mr. BURR. Mr. President, for the last 8 weeks, a group of Republican Senators, led by Senator VITTER, have come to the floor to talk about health care. Thus far Senators VITTER, THUNE, ISAKSON, and DEMINT have spoken about health care particularly the choice we are facing this November in electing our next President. I don't think there has ever been such a clear difference in opinions between parties on an issue that issue is health care.

One side would like the Government to run health care. The other side would like to give individuals and families the resources to access their own health care that they can control and take with them from job to job. In a nutshell—big government v. individual and family choice.

This week I am responsible for talking about the most tangible area we see this dichotomy—Medicare. Under Medicare, beneficiaries either have fee-for-service or Medicare Advantage. The Government sets prices and makes coverage decisions under fee-for-service. Multiple private sector companies offer comprehensive coverage under Medicare Advantage. But the best example of individual choice and private sector competition is seen under Medicare's drug benefit—Part D. Let me first talk about Medicare Advantage.

In 2008, Medicare Advantage plans are offering an average of approxi-

mately \$1,100 in additional annual value to enrollees in terms of cost savings and added benefits. Some examples of extra benefits available through Medicare Advantage plans are; No. 1, coordination of care; No. 2, special needs services; No. 3, predictability in out-of-pocket costs; No. 4, reduced cost-sharing for Medicare covered services; and No. 5, vision and dental benefits.

Competition in the Medicare Advantage Program has created significant value for beneficiaries. Medicare Advantage enrollees typically benefit from reduced cost-sharing relative to FFS Medicare. All regional PPO enrollees have the protection of a required catastrophic spending cap and a combined Part A and B deductible. Sixty-seven percent of plans have coverage for eye glasses. Eighty-three percent have coverage for routine eye exams. Eighty-six percent cover additional inpatient acute care stay days. Ninety percent waive the 3-day hospital stay requirement for skilled nursing facility care.

Many Medicare Advantage plan enrollees also receive basic Part D prescription drug coverage at a lower cost than stand-alone Part D plans can provide. Enrollees in Medicare Advantage plans that include Part D coverage save money on drug coverage in two ways: No. 1, Medicare Advantage plan drug premiums for basic coverage in 2008 were, on average, about \$6 less than average Part D premiums for basic coverage; and No. 2, the Medicare Advantage payment structure allows Medicare Advantage with Part D to use rebates to further reduce Part D premiums. On average, Part D premium savings from rebates was more than \$16 per month in 2008. In 2007 it was reported that 99 percent of Medicare beneficiaries have access to Medicare Advantage plans with zero added premiums, while 86 percent have access to plans that would cover prescription drugs with a zero premium through Medicare Advantage.

Some say Medicare Advantage is not needed because Medicare meets all the needs of the beneficiaries, but if this was true, millions of seniors would not purchase supplemental Medigap coverage to add benefits and pick up some costs. If Medicare Advantage plans were no longer available to those currently enrolled, 39 percent of the beneficiaries would go without supplementary coverage because they could not afford it. According to the NAACP, Medicare Advantage plans have been able to provide low income beneficiaries more comprehensive benefits and lower cost-sharing than if they just had Medicare alone.

Medicare Advantage enrollees report on their experience in Medicare Advantage plans through the Consumer Assessment of Health Plan Survey, CAHPS. Scores from CAHPS are consistently high. Eighty-six percent of respondents give their plan a rating of 7 or higher, on a scale of 10. Ninety per-

cent of respondents indicated that they usually or always received needed care. And 88 percent of respondents indicated that they usually or always received care quickly.

As I said earlier, the greatest example of individual choice and private sector competition is found in Medicare Part D. The overall projected cost of the drug benefit is \$117 billion lower over the next 10 years than was estimated last summer due to the slowing of drug cost trends, lower estimates of plan spending, and higher rebates from drug manufacturers. Compared to original Medicare Modernization Act projections, the net Medicare cost of the new drug benefit is \$243.7 billion, or 38.5 percent, lower over the 10-year period, 2004 to 2013.

Ninety percent of Medicare beneficiaries in a stand-alone Part D prescription drug plan, PDP, will have access to at least one plan in 2008 with lower premiums than they were paying in 2007. In every State, beneficiaries had access to at least one prescription drug plan with premiums of less than \$20 a month. The national average monthly premium for the basic Medicare drug benefit in 2008 is projected to average roughly \$25. Seventeen organizations will offer stand-alone prescription drug plans nationwide in 2008.

Beneficiaries had a wide range of plans from which to choose—some that have zero deductibles and some that offer other enhanced benefits, such as reduced deductibles and lower cost sharing. There also are options that cover generic drugs in the coverage gap for as low as \$28.70 a month; nationwide, beneficiaries in any State can obtain such a plan for under \$50 a month.

Consumer satisfaction with the Part D benefit is very high: Wall St Journal/Harris Interactive, December 2007—87 percent satisfied; VCR Research/Medicare Rx Network, November 2007—83 percent satisfied; KRC/Medicare Today, October 2007—89 percent satisfied; and 90 percent of dual eligible beneficiaries and 85 percent of beneficiaries with limited incomes are satisfied. Both the KRC and VCR survey show that satisfaction is increasing 10 to 12 percent over the past 2 years and that 65 percent to 77 percent say that their Medicare plan is saving them money.

Our experience with the Medicare Advantage and Part D drug plan shows one thing—competition and choice works. Under Part D we have true competition—private plans bidding against one another and driving down the price of drug benefit packages to seniors. Seniors can go onto Medicare.gov and select the plan that best suits their needs for drugs, copays, pharmacy locations, and the overall premium. As I described earlier—premiums are more reasonable than we predicted and satisfaction is very high—competition and choice works.

Under Medicare Advantage we have competition-lite. Plans compete for beneficiaries, but Medicare Advantage reimbursement is tied to Medicare fee-