

(h) formulate and recommend to the Administrator any management, fiscal, or legislative changes necessary for the organization to achieve its performance goals.

Sec. 3. Aviation Management Advisory Committee. The Air Traffic Control Subcommittee of the Aviation Management Advisory Committee shall provide, consistent with its responsibilities under Air-21, general oversight to ATO regarding the administration, management, conduct, direction, and supervision of the air traffic control system.

Sec. 4. Evaluation and Report. Not later than 5 years after the date of this order, the Aviation Management Advisory Committee shall provide to the Secretary and the Administrator a report on the operation and effectiveness of the ATO, together with any recommendations for management, fiscal, or legislative changes to enable the organization to achieve its goals.

Sec. 5. Definitions. The term "air traffic control system" has the same meaning as the term defined by section 40102(a)(42) of title 49, United States Code.

Sec. 6. Judicial Review. This order does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

William J. Clinton

The White House,
December 7, 2000.

[Filed with the Office of the Federal Register, 11:15 p.m., December 8, 2000]

NOTE: This Executive order was published in the *Federal Register* on December 11.

Statement on the Ethiopia-Eritrea Final Peace Agreement

December 7, 2000

Ethiopia and Eritrea have accepted the invitation of Algerian President Abdelaziz Bouteflika to sign a final peace agreement in Algiers on December 12, building on a Cessation of Hostilities Agreement brokered by the United States and the Organization of African Unity last June.

Last week I was able to inform both Prime Minister Meles and President Isaias that

each leader had confirmed to me his acceptance of the text of a final peace agreement. All who have worked for this peace, and all who were moved by the costs of the war, congratulate the Ethiopian and Eritrean leadership and people for achieving this breakthrough.

This agreement ends the biggest conventional war in the world in recent years, in what may be the world's poorest region. It should permit these two countries to realize their potential in peace, instead of squandering it in war. It should free both countries to concentrate on meeting their people's aspirations for democracy and development, as their leaders have pledged to do. The United States stands ready to work with both countries to consolidate the peace and accelerate their return to the urgent task of economic development.

More than 2 years of effort by the United States and the Organization of African Unity went into reaching this final agreement. I want to thank my Special Envoy, former National Security Adviser Anthony Lake, Gayle Smith of the National Security Council, and Assistant Secretary Susan Rice for their untiring commitment and selfless dedication to the task. I also wish to extend my personal gratitude and congratulations to President Bouteflika of Algeria and his entire mediation team.

Statement on the Decision To Stay the Execution of Juan Raul Garza

December 7, 2000

Today I have decided to stay the execution of Juan Raul Garza, an inmate on Federal death row, for 6 months, until June, 2001, to allow the Justice Department time to gather and properly analyze more information about racial and geographic disparities in the Federal death penalty system.

I believe that the death penalty is appropriate for the most heinous crimes. As President, I have signed Federal legislation that authorizes it under certain circumstances. It is clearly, however, an issue of the most serious weight. The penalty of death, as Justice Potter Stewart and Justice Sandra Day O'Connor have reminded us, is "qualitatively

different” from other punishments we impose. Whether one supports the death penalty or opposes it, there should be no question that the gravity and finality of the penalty demand that we be certain that when it is imposed, it is imposed fairly.

As I have said before, supporters of capital punishment bear a special responsibility to ensure the fairness of this irreversible punishment. Further, Article II of the Constitution vests in the President the sole authority to grant pardons and reprieves for Federal crimes. Therefore, I have approached this matter with great deliberation.

This fall the Department of Justice released the results of a statistical survey of the Federal death penalty. It found that minority defendants and certain geographic districts are disproportionately represented in Federal death penalty prosecutions. As the Deputy Attorney General said at the time the survey was released, no one confronted with those statistics can help but be troubled by those disparities. We do not, however, fully understand what lies behind those statistics. The Attorney General has said that more information and a broader analysis are needed to better interpret the data we now have and to determine whether the disparities that are evident reflect any bias in our system. She has undertaken an effort to gather and analyze the relevant information so that an appropriate decision can be made on the question of bias.

After a close and careful review of this issue and after conferring with the Attorney General and the Deputy Attorney General, I am not satisfied that, given the uncertainty that exists, it is appropriate to go forward with an execution in a case that may implicate the very issues at the center of that uncertainty.

In issuing this stay, I have not decided that the death penalty should not be imposed in this case, in which heinous crimes were proved. Nor have I decided to halt all executions in the Federal system. I have simply concluded that the examination of possible racial and regional bias should be completed before the United States goes forward with

an execution in a case that may implicate the very questions raised by the Justice Department’s continuing study. In this area, there is no room for error.

I have asked that the Attorney General report to the President by the end of April, 2001, on the Justice Department’s analysis of the racial and geographic disparities in Federal death penalty prosecutions.

Statement on Action To Implement the Energy Employees Occupational Illness Compensation Act of 2000

December 7, 2000

Today I am pleased to sign an Executive order that will help implement the Energy Employees Occupational Illness Compensation Act of 2000, which authorized compensation for thousands of Department of Energy workers who sacrificed their health in building the Nation’s nuclear defenses. These individuals, many of whom were neither protected from nor informed of the hazards to which they were exposed, developed occupational illnesses as a result of their exposure to radiation and other hazards unique to nuclear weapons production and testing.

This order builds on the administration’s previously articulated principles and the framework established in the act to ensure the compassionate, fair, and timely compensation of these workers and their families. Specifically, the order defines the respective responsibilities of the Departments of Labor, Health and Human Services, Energy, and Justice; establishes an Advisory Board on Radiation and Worker Health; and creates an interagency group to develop a legislative proposal and address program implementation issues.

While the Nation can never fully repay these workers or their families, they deserve fair compensation for their sacrifices. I am pleased to take the next critical step in ensuring that these courageous individuals receive the compensation and recognition they have long deserved.