surplus dollars, they should not try to tell us how to spend them on their priorities. If the US Department of Education is so smart, take a look at how successful they are in running the schools in the District of Columbia.

States and local school districts are innovative. Without question, it is states and localities that today are serving as the engines for change in education. The groundwork for success is already in place at the local level—teachers, parents, principals, and communities demonstrate on a daily basis the enthusiasm and desire to succeed. However, flexibility at the state and local level is critical to the success of our schools.

But along with the resources, the federal government must also give states and localities the freedom to pursue their own strategies for implementation. With respect to education, tactics and implementation procedures are virtually dictated by the federal government.

Rather than working closely with the states, the Congress created 70 new federal education programs in the 1980's. President Clinton, thinking that 552 federal educational programs are not enough, suggested 14 more in his fiscal year 1999 budget proposal. The rationale for expanding an already overly large and burdensome federal education establishment is simply not discernible. Instead, the states should have the flexibility to put together state strategic plans under either the Straight A's program or the Performance Partnerships program. Under such a plan, the states would establish concrete educational goals and timetables for achievement. In return, they would be allowed to pool federal funds from categorical programs and spend these consolidated resources on state established priorities.

Paul Vallas, the Chief Executive Officer of the Chicago school system, explained the crucial elements of the bold reforms that he and his colleagues have been making in Chicago. He didn't have more money to work with. What he had—and has made highly effective use of—was, in his words, ''flexibility with money and work rules, high standards and expectations, accountability from top to bottom . . . and a willingness to take advantage of options.''

Vallas went on to say:

[Another] key to our success has been flexibility. We are fortunate to have a great deal of control over the allocation of resources. In Chicago, almost all of the tax levies for the schools are consolidated. The revenue comes right to us. In addition, our categorical grants from the state are consolidated into two block grants—one for regular education and one for special ed. We decide how all this money is spent.

* * * because the state has given us all our funds in block grants and has basically said, ''Here's your money—you decide how to spend it,'' I have been able to reallocate about $130 million into our classrooms and to generate about $170 million in other savings.

As we all know, there is no more important issue today than education. Some of my colleagues across the aisle have a whole array of programs that they think will solve the problem. Among their many amendments, I have counted at least 12 new programs that range from $50 million to $1.3 billion. For many of you, more money and more federal education programs are the answer to all our nation's education woes. Of course these programs sound good—but will they really do any good? More money or an additional program is often a surrogate for the structural reform that American education needs. Structural reform, change—this is what many in the education establishment fear. Instead, their response to crisis is more money and another federal program.

But, the last thing that we need is another federal program. The last thing that our schools need is more bureaucracy and federal intrusion. Instead, what Washington should and can do is to free the hands of states and localities and to support local and state education reform efforts. When localities find ideas that work, the federal government should either get out of the way or lend a helping hand.

The Educational Opportunities Act is a step in the right direction. Building on the bipartisan success of Ed-Flex, we have increased flexibility and empowered parents. I look forward to the debate that we will have about further empowering parents and children with the ability to choose where their children go to school.

I commend the chairman for his hard work and dedication to education. I think there are some very good provisions in this bill.

I strongly support both Straight A's and the performance partnership program that are in title VI.

I am pleased to see report card language in title I—I agree with the chairman that knowledge is power and that by empowering parents we are creating agents for positive change.

Unlike class size reduction proposals, which require States and local schools to hire new teachers, the Teacher Empowerment Act, TEA, provides maximum flexibility to states and locals in using $2 billion annually to develop high quality professional development programs, hire additional teachers, provide incentives to retain quality teachers or to fund innovative teacher programs, such as teacher testing, merit-based teacher performance systems and alternative routes to certification.

I applaud the chairman's rural flexibility initiative, and I am delighted that we have consolidated several different programs and titles. Although I wish we could have consolidated a few more programs and titles, we have made some progress. We used to have 14 titles, now we have 11.

Mr. President, let me be clear. This debate is not over money. It is not over who cares the most about our nation's school children. This debate is over who knows best—the federal government or the parents, teachers and administrators back home who interact with our children every day. The debate is over who do we trust? Federal bureaucrats or people back home who struggle under the weight of federal mandates to help children learn.

The federal government has a track record of failure despite many billions of dollars spent. States and localities, however, have shown the promise and the possibilities of success with innovative methods to raise student achievement and to reduce the achievement gap.

This bill will give states and localities the tools and the flexibility necessary to begin to restore American education to preeminence. To achieve educational excellence will take time. There is no simple solution and gimmicky short-term fads, like those offered by this Administration, will not lead to long-term success. The Republican party is dedicated to a sustained long-term effort to assure that every child in America receives not just an education, but a quality education. In our global economy, it is no longer good enough to be adequate. We must be outstanding.

MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I now ask unanimous consent that there be a period for the transaction of morning business with Senators to speak for up to 10 minutes each.

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

The Senator from Iowa is recognized.

BIOTECHNOLOGY AND TRADE

Mr. GRASSLEY. Mr. President, I would like to say a few words today about biotechnology and trade. As a working family farmer, I see the effects of this debate nearly every week at the grain elevators in my hometown of New Hartford, Iowa.

With the benefit of this personal experience, and as chairman of the Senate Finance Committee's International Trade Subcommittee, I have addressed the issue of biotechnology and trade in many ways.

Last October, my Trade Subcommittee looked at the biotechnology issue during hearings on agricultural trade policy. Last fall, I brought Charles Ludolph, the Deputy Assistant Secretary of Commerce for Europe, to Iowa to hear the concerns our corn and soybean growers have about the European food scare over GMO products. Last December, I addressed this issue at the WTO Ministerial Conference Meeting in Seattle.

And I have continued to have high-level discussions about trade in genetically modified foods with the European Commission. I recently had another meeting in this city with David Byrne, the EU Commissioner for Consumer Health and Safety Protection. This was a very informative meeting. If followed

a lengthy session I had with Commissioner Byrne in Seattle.

In our Washington meeting, Commissioner Byrne and I discussed recent developments affecting trade and biotechnology within the European Union.

It is with this deep background, and my long-standing concern about biotechnology and trade, that I would like to report to the people of Iowa and America that I still have great concerns about what we are seeing in Europe, and now in Japan.

For nearly 30 years, Europe's governments have been telling their people that modern agricultural technology is dangerous. First, it was the pesticide scare of the 1970s. Even though we have added eight years to our life spans since we started widely spraying modern pesticides on our crops. Then it was growth hormones in meat. Even though European scientists have confirmed the safety of these hormones. Now it's genetically modified foods. Even though not one person has ever caught so much as a cold from eating a genetically enriched product.

Now we learn that just last week, Japan's Ministry of Health and Welfare is getting set to require mandatory safety tests on genetically modified foods before they can be imported into Japan. This will dramatically and adversely affect our farmers, who ship about $10 billion worth of products a year to Japan. Every year, Japan relies on United States production for 80 percent of its corn imports.

Japan is taking this action even though genetically modified products produced in the United States must be approved by a food regulatory agency that the world looks to as the model for what a food safety agency should do.

And both the Japanese and the European Union governments know that genetically modified foods are only approved for sale after thousands of field trials and rigorous testing.

So what's going on?

Mr. President, I am convinced that a good part of these developments can be explained by a desire to restrain trade. Non-tariff trade barriers we've been fighting to eliminate for 50 years. Agricultural producers in Europe, and in Japan, can't grow corn, or soybeans, or many other products more efficiently, at better prices, than we can. So they look for other means to counter the competitive edge we enjoy.

After the United States and our trading partners agreed to the Agreement on Agriculture, one of the Uruguay Round Agreements, it is more difficult now to use quotas, tariffs, and subsidies to favor domestic producers.

So fear is used instead.

Mr. President, it was a Democrat President, Franklin Roosevelt, who said, ''The only thing we have to fear is, fear itself.'' As far as biotechnology is concerned, the only thing Europe, and now Japan, have to offer is fear. It's how the Europeans have protected their domestic agricultural markets from American competition for 30 years.

Just look at the comment by Germany's environment minister, Jürgen Tritten, when the European Commission proposed a redrafting of the legislation governing the admission of genetically modified products into the EU. Just as they planned it, this new European Union legislation has the effect of slowing the approval of new U.S. genetically modified products in Europe to a trickle. The German minister was elected. He hailed this legislation as a ''de facto moratorium.''

And if it's not the case that the Europeans, and now Japan, are using fear as a new trade barrier, why is it that these governments, and the antibiotechnology activists who are so worried about the impact of genetically modified foods, seem completely unconcerned about biotechnology in medicine? Is it because they really know that medical uses of biotechnology are completely safe?

I don't want to give the impression that all of this consumer fear has been whipped up just to restrain trade. There is always legitimate concern about new technology, especially in food.

But in my view, the unprecedented safety record of our food regulatory system completely eliminates this concern.

And it appears that Europe's governments have overplayed the extent of consumer concern. A recent poll of 16,000 Europeans by the European Commission's own Environment Directorate found that Europe's citizens are less concerned about GMOs than they are over other environmental issues. When asked to rank their chief environmental concerns on a list of nine issues, GMOs finished ninth, in last place.

There is also another dimension to this issue you don't hear the antibiotech activists talk about. That is the fact that we can now prove that biotechnology is the most powerful tool for good that our researchers have ever had.

Right now, some 400 million people currently suffer from Vitamin A deficiency, including millions of children who go blind every year. A new genetically-enhanced form of rice containing beta-carotene, called ''golden rice,'' will mean these children will not be cruelly robbed of their sight.

Another form of ''golden rice'' included genes to overcome the chronic iron deficiency suffered by 2 billion people in rice cultures. Women have always been subject to extra risk from birth complications because of anemia.

What are the terrible risks in our food approval system that would justify blinding children, or subjecting Asian women to birth complications? The answer is simple: there are none. There is just the polities of fear.

Because biotechnology is such a great force for good, this must change. What can we do about it? I don't have all the answers. But I do know this. We have got to talk about finding a worldwide solution. And we can only do that if the United States leads.

Right now, the Quad Countries—the United States, the European Union, Japan, and Canada—lack a coherent vision for how to address the biotechnology issue. This is largely because the senior Quad partner, the United States, has backed away from its traditional leadership role in shaping global trade policy. In fact, as a result of this administration's lack of focus and vision, this is the first time in 50 years that we have not succeeded in going forward with a new global trade liberalization agenda.

As a result, the United States is reduced to agreeing to half-hearted ideas put forward by the European Commission in Geneva, like a ''consultative forum'' to look at biotech issues. Mr. President, I'm not even sure what a ''consultative forum'' is, or what it is supposed to accomplish, but we have agreed to it.

Another sign of this administration's failure of leadership on trade is the fact that at Seattle, we refused to seek a comprehensive round, knowing this unreasonable posture would never be accepted by our trading partners. In fact, the administration's refusal to negotiate a comprehensive round was a complete reversal of United States policy that successfully launched and completed the last round of global trade negotiations, the Uruguay Round.

In 1986, our then United States Trade Representative, Clayton Yeutter, said only a comprehensive round would result in the greatest gains for the United States. He was right. It did.

I have a high regard for Ambassador Rita Hayes and her team in Geneva. They are leading agriculture negotiations that started about one month ago. But their hands are tied. They have to negotiate within a very narrow framework because a political decision made months ago to limit the scope of new global trade negotiations made it all but certain that the talks in Seattle would not succeed.

This is certainly a far cry from the traditional, bold United States trade agenda that has brought us such tremendous prosperity.

Right now, agriculture is struggling. Our farmers are struggling. Mr. President, I said a few moments ago that Europe and Japan are using fear in place of facts with regard to trade and biotechnology.

But we cannot counter fear with uncertainty. We cannot combat false information with confusion. And we cannot oppose political expediency in Europe with a lack of resolve at home.

There is a great debate going on about extraordinary new technology and trade that we must lead. that sort of focused international leadership can only come from the White House. Because America speaks diplomatically only thru the Office of the President,

we need an administration that understands that we must trade globally, so we can prosper locally.

I urge the administration in the strongest possible terms to rise to this challenge.

DEDICATION OF PORTRAIT OF JUDGE DAN M. RUSSELL, JR.

Mr. LOTT. Mr. President, I rise today to honor Judge Dan M. Russell, Jr., U.S. Senior District Court Judge for the Southern District of Mississippi, on the occasion of national Law Day and Judge Dan M. Russell Day in Hancock County, Mississippi. I wish I could be with Judge Russell and his family, colleagues and friends today as they gather to dedicate a portrait of him which will hang in the Hancock County Courthouse in Bay St. Louis, Mississippi. I want to commend Judge Russell for his many years of service on the bench and praise him for his willingness to continue to serve the Gulf Coast community, the state, and the nation as a judge. I can think of no better way to mark Law Day than by recognizing Judge Russell's distinguished service in the law, and by commemorating this service with the dedication of a portrait of him. I have the deepest admiration for Judge Russell, and this commemoration indicates the high esteem that his colleagues in the Bar have for him as well.

VICTIMS' RIGHTS AMENDMENT OPPOSITION

Mr. LEAHY. Mr. President, because of the way in which the Senate last week ended its consideration of S.J. Res. 3, a proposed constitutional amendment on crime victims' rights, I did not have an opportunity to include in the RECORD a number of thoughtful editorials from across the country. I now ask unanimous consent to have a number of them printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Asheville Citizen-Times, Apr. 25, 2000]

VICTIMS' BILL SERIOUSLY FLAWED

Today, the United States Senate will vote on the joint Senate Resolution proposing that a victims' rights amendment be added to the U.S. Constitution. The amendment has been endorsed by some 39 Attorneys General, by organizations such as Racial Minorities for Victim Justice, as well as by the presumptive Republican Presidential nominee Gov. George W. Bush.

In effect, the amendment would offer victims the constitutionally guaranteed right to:

Be notified of proceedings in the criminal case;

To attend public proceedings in the case;

To make a statement at release proceedings, sentencing and proceedings regarding a plea bargain;

To have the court order the convicted offender to pay restitution for the harm caused by the crime.

Some of these provisions may indeed restore some balance to a system that leans heavily in favor of protecting criminals' rights. Some of these provisions are already being enacted in certain jurisdictions and in certain cases on behalf of vitims—the right to be present at hearings and to make statements for example.

Many prosecutors are opposing this amendment because of the unintended effects it could have, and the public should oppose it in light of many unanswered questions and concerns. For example, should rival gang members be notified of pending hearings and be invited to make statement against those rivals? What of convicted violent felons who are themselves victimized in prison—who are the true victims? Will prosecutors be compelled to notify thousands of victims in the case of a national telemarketing scam?

These are real questions that the Senate is grappling with. Without real answers, they should vote ''No.'' We should not tamper with the U.S. Constitution when a statute will suffice in place of an amendment. That document is too important to who are as Americans.

[From the Baltimore Sun, Apr. 23, 2000]

DISTORTING VICTIMS' RIGHTS

Senate vote: A constitutional amendment could actually harm victims and rights of innocent.

It's an election year. You can tell by the flurry of votes on proposed constitutional amendments in Congress this month. The latest, set for the Senate this week, is perhaps the most deceptive and dangerous—a victims' rights amendment.

On the surface it seems reasonable, similar to rights adopted in 32 states. It would guarantee crime victims the right to speak at parole, plea-bargain or sentencing hearings, to be notified of an offender's release, to restitution, and a speedy trial.

But wait a minute: Isn't the defendant the one who has a constitutional right to a speedy trial? This amendment would change all that: Victims would have rights equal to a defendant.

That's just the start of the dangers. The amendment doesn't define who's a victim. Parents? Ex-spouses? Cousins? Boyfriends?

It would create a third party in trials intent on retribution, even though the defendant may not have committed the crime.

It would give victims the right to oppose plea bargains. One of the lead lawyers in the Oklahoma City bombing case says this would have made virtually impossible to convict Timothy McVeigh.

Victims also would have the right to demand a speedy trial—even if prosecutors say they need more time to build a winnable case. And what happens if the ''victims'' disagree? In the Oklahoma City case, there would have been thousands of ''victims,'' many entitled to court-appointed lawyers.

This could lead to grotesque distortions. A battered wife who strikes back and maims her husband could wind up paying restitution to the ''victim.'' So could a shopkeeper who shoots a robber—the ''victim'' becomes the robber.

We fear for the right to a fair trial. Crime victims' prejudgement of the defendant clashes with the notion that you're innocent until proven guilty.

Victims deserve certain rights. But not in the Constitution. Why hasn't Congress passed federal laws to assist them? It could be decades before a constitution-cluttering amendment is approved.

This is the wrong approach. The proposal could damage our court system and our fundamental rights.

We urge Senators Barbara A. Mikulski and Paul S. Sarbanes to vote against this ill-conceived constitutional amendment—and then commit to drawing up more clearly defined laws giving crime victims a voice in court.

[From the Chicago Tribune, Apr. 20, 2000]

CRIMINAL ACT—THE FOLLY OF A VICTIM'S RIGHTS AMENDMENT

(By Steve Chapman)

Some conservatives love Mt. Rushmore so much that they want to alter it, by adding Ronald Reagan. Likewise, many people think the U.S. Constitution is not so flawless that it couldn't be improved. Each group ignores the possibility that its revisions may turn something that is nearly perfect into something that is, well, not nearly perfect.

Recently, the Senate barely failed to approve a constitutional amendment to eliminate the terrible national scourge of flagburning. Next week, it will vote on the Victims' Rights Amendment, which is based on the odd notion that the criminal justice system does too little for the victims of crime.

In fact, the nation spends enormous sums every year for the victims of crime. Legions of police, lawyers and judges labor every day to find, prosecute and punish people who aggress against their neighbors. We run the world's biggest correctional system, with 1,500 facilities devoted to the care and feeding of nearly 2 million inmates—and that's not counting more than 3 million lawbreakers on parole or probation. All of this is partly for the protection of everyone, but it's also an affirmation of our concern for crime victims.

So what oversight is the amendment supposed to address? Some victims feel their interests are not considered and their voices are not heard when criminal justice decisions are made. Asserts the Senate Judiciary Committee, ''The victims of crime have been transformed into a group oppressively burdened by a system designed to protect them.'' Its remedy is to give victims of violent crimes the constitutional right to attend all proceedings, to make their views known about sentencing and plea arrangements, to be notified of an offender's impending release, to insist on a speedy trial and to get restitution from the victimizer.

But the claim of oppression is a vast exaggeration. In a country with 8 million violent crimes committed every year, the justice system is bound to cause some victims to feel dissatisfied and even angry. If 95 percent get satisfactory treatment, that leaves hundreds of thousands of people a year who are shortchanged.

Some of the supposed mistreatment stems not from callousness, but from efforts to provide the accused a fair trial. Amendment supporters want victims to be able to attend trials from start to finish, just as defendants do. But the only time they are barred is before they testify—to minimize the chance that they will (intentionally or not) tailor their testimony to match that of other witnesses.

The unassailable reason for the rule is that it improves the chances of finding the truth. This is not a favor just to suspects: A crime victim gains nothing if the courts punish the wrong person and let the guilty party go free.

Keeping victims informed about the proceedings, and letting them attend, could create huge problems in some cases. Take the Columbine High School massacre, where two students murdered 13 people and wounded 23 others before committing suicide.

Suppose Eric Harris and Dylan Klebold had lived to stand trial. Who would be entitled to attend and comment on any proposed plea bargain? The families of the 36 dead and wounded? The families of all the students who witnessed any of the shootings? The families of all Columbine students? Your