states and localities and giving states and local school districts more flexibility. Rather than create another 2 or 3 entitlement programs that are prescriptive and inflexible, we believe that we should allow states to use additional federal monies in whatever manner the state determines the additional money can best be used.

For some states, this may very well be for school construction. For others, it may be for hiring more teachers. But for others, it may be for wiring every school, or for putting more computers in the classroom. Some states may decide that they need the money for teacher training, to improve the teachers that they already have in the classrooms.

The point is—how do we in the federal government know better than those in the states and local communities—and parents—what their students need the most? The answer is that we don't.

Some in Washington argue that by allowing states the flexibility to use federal money in the best way state officials see fit removes accountability from the equation. But to whom are state and local officials more responsive—the sprawling federal bureaucracy or local teachers, parents and residents?

This Congress has actively addressed federal education. We had lengthy and thoughtful debate on a variety of education initiatives during consideration of the Coverdell Education Savings Accounts bill. We passed the Coverdell bill to allow parents to save more of their own money for use in paying educational expenses including, but not limited to, computers, school uniforms, tutors, textbooks or tuition.

The President vetoed the Coverdell bill.

This Congress has passed the Higher Education Amendments and made great strides in improving teacher quality.

Just a few days ago, we passed the Charter School bill to support charter schools which are given more flexibility and freedom from burdensome state and federal regulations. I am encouraged by the success of charter schools in the states that have them, and remain hopeful that when all 50 states have increased flexibility with Ed-Flex, that similar gains may be seen in the regular public schools. If charter schools are successful, we must give our regular public schools the same freedoms and opportunities to improve student achievement that we have given charters.

In closing, my colleagues have heard me many times discuss the poor state of our American education system. In recent international comparisons, we have performed abysmally—scoring in the middle of the pack or at the very bottom depending on the age category and subject tested.

Washington should not, however, rush to address this crisis by creating new programs with new mandates on parents and teachers, schools and localities. 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.

I applaud the efforts of those on both sides of the aisle who are fighting for education. This is not a partisan issue. Witness my efforts with Senator WYDEN on Ed-Flex—a bill that is also supported by Senators KERREY, FORD, GLENN, and LEVIN on the Democratic side and more than a dozen senators on the Republican side. Most of us here in the Senate are parents and we all want what is best for our children—and all children.

But let's not let extremist Democrats, who are hostage to the old order, paint the Republicans as the Grinches who stole Christmas for America's school children. It is extremist Democrats, with their well-intentioned but completely misguided approach of throwing more money into the federal education abyss and adding more and more programs to the already complex maze of federal education programs, who are short-changing the future of America's students.

The temptation for too many of us is to measure our commitment to education by the size of the federal wallet. But let's not just throw money at our problems. Let's not just create more of the same old tired education programs.

Let's focus on results. Let's give parents and local school boards control of schools, and empower them to chart a course that improves student outcomes. Let's allow States to decide how they can best utilize increased federal resources.

HUMAN RIGHTS IN CHIAPAS

Mr. FEINGOLD. Mr. President, I am pleased to be an original cosponsor of S. Con. Res. 128, introduced last week by the Senator from Vermont [Mr. LEAHY]. I believe that this resolution is both timely and important.

This resolution calls on the Secretary of State to take a number of steps to foster improvement in the human rights situation in Mexico and to end the violence in the state of Chiapas. These steps include ensuring that any assistance and exports of equipment to Mexican security forces are used primarily for counter-narcotics and do not contribute to human rights violations, encouraging the Mexican government to disarm paramilitary groups and decrease the military presence in Chiapas, and encouraging the Mexican government and the Zapatista National Liberation Army to establish concrete conditions for negotiations for a peaceful resolution to the conflict in Chiapas.

Mr. President, allow me to just review briefly what is going on in Chiapas today. Just over four years ago, in January 1994, the Zapatista National Liberation Army, an organization of peasant and indigenous peoples seeking political and social changes, launched an uprising by seizing four towns in the Chiapas region of southern Mexico; fighting in the region resulted in nearly 100 deaths. Although the Mexican government initially countered the rebellion by sending troops to the region, issuing arrest warrants for all Zapatista leaders, and creating a new military zone near the site of the Chiapas rebellion, Mexican President Ernesto Zedillo subsequently canceled the arrest warrants, ordered the cessation of all offensive actions against the Zapatista Army, and called for dialogue between Zapatista leaders and the Mexican government. Since August of 1995, the Zapatistas have participated intermittently in peace negotiations with the Mexican government.

Last December, 45 indigenous peasants in the village of Acteal, Chiapas, were killed by armed men reportedly affiliated with President Zedillo's Institutional Revolutionary Party (PRI). Following this incident, President Zedillo appointed a new Minister of Government and a new peace negotiator for Chiapas, the Governor of Chiapas resigned, and Mexican authorities arrested more than 40 people in connection with this incident, including the mayor of a nearby town.

These incidents renewed calls for peace in Chiapas. The Zapatistas rejected legislation submitted to the Mexican Congress by President Zedillo in March 1998 to promote indigenous rights in Chiapas. President Zedillo visited the region several times in mid-1998 to promote dialogue, but the talks fell apart after the June 1998 resignation of Bishop Ruiz from the mediation commission, and the commission subsequently dissolved. In July 1998, the Zapatistas advanced a proposal for mediation and for a Mexican plebiscite on President Zedillo's indigenous rights legislation.

But, Mr. President, efforts for dialogue between the Mexican government and the Zapatistas have been largely fruitless, and the violence continues. I am deeply troubled by this situation.

I am also deeply troubled by the cool reception that the Mexican government has given to some international human rights observers, including people from my home state of Wisconsin. Many of these individuals have worked tirelessly from the beginning of the Chiapas conflict to help organize humanitarian assistance for the indigenous peoples of the troubled region. Some of these individuals feel that there has been a concerted effort by the Government of Mexico to keep foreigners out of the region in order to limit this kind of humanitarian assistance and to limit the ability of outsiders to monitor and report on the human rights situation there. Many

humanitarian workers have been detained for long periods of time and summarily deported from Mexico.

The deficient reception of humanitarian workers in Chiapas casts doubt on the sincerity of the Mexican Government when it says it wants to work with the United States and others to control drug trafficking or to enter into end-use monitoring agreements on the transfer of military equipment.

Mr. President, I believe the United States has an obligation to be an advocate for human rights protections around the world. I am not convinced that the Mexican National Commission on Human Rights (CNDH), which was established in 1990, has done enough to prevent continuing violations by Mexican law enforcement officials and the Mexican military. I believe the United States must make human rights a top priority in our relations with Mexico, and I do not believe Mexico can reach stability without permitting its citizens to exercise their basic rights. In light of the proximity of Mexico to the United States and the myriad ties between our two countries, we have a clear interest in working to ensure that human rights are respected in Mexico.

Again, Mr. President, I am pleased to be a cosponsor of S.Con.Res. 128, which, in my view, will further call attention to the on-going human rights abuses in Chiapas. I hope that the Administration will actively work to put human rights at the very top of our priority list with respect to Mexico, and that the Mexican government will take concrete steps to end the violence in Chiapas and to respect the rights of all Mexican citizens and international visitors.

BRIBERY IN INTERNATIONAL BUSINESS TRANSACTIONS

Mr. FEINGOLD. Mr. President, I want to bring to the Senate's attention an excellent editorial published by the Washington Post on Wednesday, October 7, 1998 concerning the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

This convention seeks to establish worldwide standards for the criminalization of the bribery of foreign officials to influence or retain business. Just over 20 years ago the Congress passed the Foreign Corrupt Practices Act, or FCPA. This landmark legislation, which I am proud to say was sponsored by one of Wisconsin's most respected elected officials, Senator William Proxmire, was enacted after it was discovered that some American companies were keeping slush funds for making questionable and/or illegal payments to foreign officials to help land business deals.

For these 20 years, the FCPA has succeeded at curbing U.S. corporate bribery of foreign officials by establishing extensive bookkeeping requirements to ensure transparency and by criminalizing the bribery of foreign officials.

The OECD treaty, which passed the Senate unanimously earlier this year, would bring most of our major trading partners up to the same standards that U.S. companies have been exercising since the FCPA became law.

Mr. President, I consider this treaty, and the implementing legislation, S. 2375, that accompanies it, to be important work of the Congress. However, as the Washington Post noted in its editorial, the House of Representatives has yet to pass this legislation.

As a member of the Senate Committee on Foreign Relations, which had the responsibility to recommend the Senate provide its advice and consent on this treaty, I hope the House will move quickly to pass the implementing legislation prior to adjournment.

Mr. President, I ask unanimous consent that the text of the October 7, 1998, Washington Post editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 7, 1998]

A VOTE AGAINST BRIBES

Its not every day that Congress has an opportunity to pass legislation that has no down side whatsoever, that can only help the United States and U.S. businesses; that fulfills a demand Congress itself made 10 years ago; and that—perhaps rarest of all—has the ardent support of both President Clinton and Sen. Jesse Helms. The House has such an opportunity now, with a bill to implement an international treaty combating bribery overseas. Yet, perhaps not surprisingly, even this universally acclaimed legislation is no longer a sure thing.

More than 20 years ago, Congress passed the Foreign Corrupt Practices Act, which outlawed the paying of bribes by U.S. business executives to win foreign contracts. It was and remains a good law, and by most accounts it has had a beneficial effect on how Americans do business. But it's also put them at a competitive disadvantage to European and other companies that not only aren't prohibited from paying bribes but in many cases can deduct the payoffs from their taxes. The administration estimates that U.S. industry may lost $30 billion worth of contracts each year for its honesty.

The Clinton administration last year negotiated a treaty with other major industrial countries that would essentially extend the Foreign Corrupt Practices Act to all of them. Instead of the United States lowering its standards, long years of diplomacy finally persuaded Europeans to raise theirs. The Senate unanimously ratified the treaty, citing what Sen. Helms called an ''urgent need to push—and I use that word advisedly—to push our European allies'' to criminalize bribery overseas. Now the House must make U.S. law consistent with the treaty. No one is against this. But the press of business may put the bill in danger.

This may seem less urgent than other matters awaiting congressional action. But corruption is at the root of the financial crisis sweeping the world. Rich countries are good at telling their poor counterparts to behave; here is a change to show that the rich are willing to police themselves, too. For the United States, which has been doing such policing for two decades, this is a no-lose proposition. But if Congress doesn't approve the treaty, Europe and Japan won't either. The House should pocket this win before it's too late.

MEDICAL DEVICE MANUFACTURER YEAR 200 RESPONSE

Mr. GRAMS. Mr. President, about two weeks ago, a list of medical device companies was printed in the CONGRESSIONAL RECORD which indicated they were non-responsive to The Food and Drug Administration's request for Year 200 compliance status.

As Chairman of the Senate Medical Technology Caucus, I believe it is important my colleagues have the latest on manufacturers which have been responsive to the FDA's request for information on the Year 2000 compliance status of their products Companies were asked by the FDA to indicate in their response the following:

The medical devices marketed and have sold are not Year 2000 vulnerable; medical devices marketed and sold are all year 2000 compliant; the manufacturer is providing specific information regarding those products which are not compliant or their assessment is currently incomplete; or the manufacturer is working on an assessment and will post the results.

Mr. President, there are many sectors of our economy which still need to address the potential for problems in the year 2000, but I am pleased that a vast majority of medical device companies in the United States have responded to the FDA on year 2000 compliance status and deserve to be recognized for having done so.

I would like to mention specifically thirteen companies mistakenly listed in the CONGRESSIONAL RECORD as being unresponsive to the FDA's request. These manufacturers have responded to the FDA's request for Year 2000 compliance status: Apothecary Incorporated, Augustine Medical Incorporated, Braemar Corporation, Dantec Medical Incorporated, Diametrics Medical Incorporated, Keomed Incorporated, Medtronic PS Medical Medtronic Biomedicus, Medtronic Neurological, Prime Ideas Incorporated, Puritan Bennett Corporation, Timm Research Company, and Williams Sound Corporation.

Mr. President, while this list only represents companies based in Minnesota, the FDA has compiled a much larger listing of companies which are or have addressed year 2000 issues on their website located at www.fda.gov.

CAMPAIGN FINANCE REFORM

Mr. LEVIN. Mr. President, the 105th Congress is nearing its conclusion. As we look over the past two years of this Congress, one issue that consumed hours of effort and debate, exposed problems that strike at the heart of our government, and whose ramifications are nothing less than a cancer eating at the body politic, remains unresolved. I'm talking about campaign finance reform.

In January 1997, this Congress launched multiple investigations into events associated with the 1996 federal elections. Dozens of hearings were held,