The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from New Hampshire (Mr. GREGG) are necessarily absent.

The result was announced—yeas 70, nays 27, as follows:

[Rollcall Vote No. 348 Leg.]

YEAS—70

Abraham	Feinstein	Mack
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Moynihan
Baucus	Gorton	Murkowski
Bayh	Graham	Murray
Bennett	Gramm	Nickles
Biden	Grams	Reid
Bingaman	Grassley	Roberts
Bond	Hagel	Roth
Breaux	Harkin	Santorum
Brownback	Hatch	Schumer
Bryan	Hutchinson	Sessions
Burns	Hutchison	Shelby
Cochran	Inhofe	Smith (OR)
Conrad	Jeffords	Specter
Coverdell	Kerrey	Stevens
Craig	Kerry	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Voinovich
DeWine	Leahy	Warner
Dodd	Lieberman	Wellstone
Domenici	Lincoln	Wyden
Enzi	Lott	
Feingold	Lugar	

NAYS—27

Akaka	Edwards	Mikulski
Boxer	Helms	Reed
Bunning	Hollings	Robb
Byrd	Inouye	Rockefeller
Campbell	Johnson	Sarbanes
Cleland	Kennedy	Smith (NH)
Collins	Kohl	Snowe
Dorgan	Lautenberg	Thurmond
Durbin	Levin	Torricelli

NOT VOTING—2

Gregg	McCain

The motion was agreed to.

Mr. ROTH. I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2406

Mr. ROTH. At the request of the Senator from Wisconsin and with the approval of the senior Senator from New York, I ask that the yeas and nays be vitiated with respect to amendment No. 2406. I ask unanimous consent that the Senate conduct a voice vote on this amendment.

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

The question is on agreeing to the motion to table amendment No. 2406.

The motion was agreed to.

Mr. ROTH. I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BIDEN. Mr. President, under rule XXII, I yield my hour to the Democratic leader.

Mr. THOMAS. Mr. President, under rule XXII, I yield my hour to the majority manager of the bill.

Mr. REED. Mr. President, under rule XXII, I yield my hour to the minority leader.

Mr. COCHRAN. Under rule XXII, I yield my hour to the majority manager.

Mr. EDWARDS. I yield 50 minutes allotted to me to the senior Senator from New York so he may yield to the junior Senator from Wisconsin.

Mr. LAUTENBERG. Under rule XXII, I yield my hour to the Senator from New York.

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

UNANIMOUS CONSENT AGREEMENT—S. 900

Mr. ROTH. I ask unanimous consent the majority leader, after consultation with the minority leader, may proceed to consideration of the conference report to accompany the financial services bill and provide further that the conference report has been made available and the conference report be considered as having been read and the Senate proceed to its immediate consideration.

I further ask that there be 4 hours equally divided between the chairman and the ranking minority member, an additional hour under the control of Senator SHELBY, 1 hour for Senator WELLSTONE, 30 minutes for Senator BRYAN, and 20 minutes for Senator DORGAN. I further ask consent that no motions be in order and a vote occur on adoption of the conference report at the conclusion or yielding back of my time without any intervening action or debate.

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

Mr. ROTH. In light of this agreement, there will be no further votes this evening.

MORNING BUSINESS

Mr. ROTH. I ask unanimous consent the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

VOLUNTARY CONFESSIONS LAW

Mr. THURMOND. Mr. President, I rise today to express my deep disappointment at the Justice Department's decision not to defend a law of Congress regarding voluntary confessions.

Last evening, the Justice Department responded to the petition for certiorari from the Fourth Circuit Dickerson case, which had upheld 18 U.S.C. Section 3501, a law the Congress passed in 1968 to govern voluntary confessions. The Department refused to defend the law, arguing that it is unconstitutional under Miranda v. Arizona.

This position should not be surprising. Earlier, the Clinton Justice Department had refused to defend the law in the lower Federal courts. It had prohibited a career Federal prosecutor from raising the statute to prevent Dickerson, a serial bank robber, from going free, and had actively refused to permit other prosecutors from using the statute. However, it had held out the possibility that it would defend the law before the Supreme Court. Indeed, prior to the time the Department was forced to take a position in the Dickerson case, the Attorney General and Deputy Attorney General had indicated to the Judiciary Committee that the Department would defend Section 3501 in appropriate cases.

The Attorney General's refusal to enforce the law puts her at odds with her predecessors. Former Attorneys General Meese, Thornburg, and Barr have informed me through letters that they did not prevent the statute from being used during their tenures, and indeed, that the statute had been advanced in some lower court cases in prior Administrations. They added that the law should be enforced today. During a hearing on this issue in the Judiciary Criminal Justice Oversight Subcommittee, which I chair, all the witnesses except one shared this view.

The position of the Justice Department is also contrary to the views of law enforcement groups, which believe that Miranda warnings normally should be given but that we should not permit legal technicalities to stand in the way of an otherwise voluntary confession and justified prosecution. Most recently, according to press reports, even Federal prosecutors urged Justice officials to defend this law. It was all to no avail. In my view, the Department has a duty to defend this law, just as it should defend any law that is not clearly unconstitutional. Each court that has directly considered the issue has upheld the law. Nevertheless, the Justice Department will not abide by its duty to defend the statute, and I believe it is critical that the Congress file an amicus brief or intervene in the Supreme Court defending it.

In this case, the Justice Department has deliberately chosen to side with defense attorneys over prosecutors and law enforcement. It has deliberately chosen to side with criminals over victims and their families. This is a serious error. The Department should not make arguments in the courts on behalf of criminals. This is a sad day for the Department of Justice.

THUGGERY IN KOSOVO

Mr. BIDEN. Mr. President, I rise today to condemn in the strongest manner possible the anti-democratic violence that continues in Kosovo. This violence takes many forms, the most widely publicized of which is attacks by ethnic Albanians on Serbs and other minority groups in the province. KFOR and the U.N. Mission must stamp out these attacks immediately.

What has received less media attention is the intimidation, and occasional violence, within the ethnic Albanian

community. Recently there were public threats against the lives of two of Kosovo's most respected journalists, Veton Surroi and Baton Haxhiu, editors of the newspaper ''Koha Ditore.''

On my trip to Kosovo eight weeks ago, I met with Mr. Surroi. He had already spoken out against violence against Kosovo's Serbs and was already receiving private threats as a result. Mr. Surroi is a worldly, courageous democrat—exactly the sort of person that Kosovo needs to achieve genuine democracy.

During the same trip, I also met with Hashim Thaqi, political leader of the Kosovo Liberation Army. I told Mr. Thaqi that he and his forces would have to submit unconditionally to civilian authority and respect the rights of all political parties, ethnic groups, and individuals in Kosovo.

With this as background, Mr. President, I ask unanimous consent that an open letter published in Kosova Sot on October 29, 1999 by James R. Hooper, President of the Balkan Action Council, to Mr. Thaqi appear in the RECORD after my remarks.

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

(See exhibit 1.)

Mr. Hooper, incidentally, testified before the Foreign Relations Committee earlier this year and is considered to be one of this country's most knowledgeable experts on the Balkans.

Mr. President, those of us in the Congress who supported the legitimate rights of the people of Kosovo to escape the brutality of Slobodan Milosevic will not stand idly by and watch a Serbian tyrannical master be replaced by an ethnic Albanian one.

As Mr. Hooper's eloquent letter makes clear, Mr. Thaqi and the other leaders of the Kosovo Liberation Army must immediately and forcefully speak out against the thuggery that is afflicting the province and take measures to eradicate it.

Mr. President, if they do not, they will lose the support of the international community. And without that support, they themselves have no political future.

I thank the Chair and yield the floor.

OCTOBER 29, 1999.

OPEN LETTER TO HASHIM THAQI: I am deeply troubled by the public threats against Veton Surroi and Baton Haxhiu of Koha Ditore that recently appeared in Kosovapress, the media organ associated with your organization. Surroi and Haxhiu are viewed in the United States and Europe as two of the most prominent supporters of democracy and free speech in Kosovo. If they are at risk, it means that Kosovo's hopes for democracy and free speech are jeopardized as well.

Your unwillingness to immediately condemn such extreme attacks on two outstanding representatives of Kosovo's civil society suggests that you hold a vision of Kosovo's political future in which those who democratically express differences of opinion will not be tolerated, and dissent will be harshly disciplined.

This in turn projects to your fellow citizens an anti-democratic attitude that is intolerable. And it conveys the impression to the international community that you and some of your former KLA colleagues maintain a hidden agenda for Kosovo that is far from democratic.

I want to make one thing absolutely clear: I am convinced there will be no support among Kosovo's friends around the world, including me, for the replacement of a Serbian dictatorship by an ethnic Albanian copy. If Kosovo's future is not to be democratic, then it will not likely be independent either. Independence must be earned in the democratic political arena as well as on the battlefield. Support among the American people and their elected representatives and government for the people of Kosovo would disappear rapidly if Kosovo moved in non-democratic directions.

Unfortunately, the actions of some who support you, and your own apparent indifference and inaction in the face of the killing of Kosovo citizens, are already jeopardizing the continuation of that support. The pattern of violence against Kosovo Serbs appears to reflect in part an organized effort by some in the former KLA to expel all Serbs from Kosovo. The murder of elderly Serbs and unarmed villagers evokes an atmosphere of terror in which innocent minorities are brutalized by those with the power to dispense victor's ''justice.''

A Kosovo in which the rights of non-Albanian minorities are routinely violated is not likely to prove respectful of Albanians whose views do not fit those of the prevailing forces. After all, this is the model Belgrade used for over ten years. A mono-ethnic Kosovo forcibly cleansed of its minorities through violence is unlikely to be a democratic Kosovo.

While you have spoken out against the killings of ethnic Serbs in the past, you have taken few serious steps to rein in those who are organizing the violence. I strongly urge you to take determined action to remove suspicions that you condone the violence against Kosovo's non-Albanian minorities and to condemn the threats to Veton Surroi and Baton Haxhiu.

JAMES HOOPER,
Executive Director,
Balkan Action Council.

OVERSEAS PRIVATE INVESTMENT CORPORATION

Mr. ALLARD. Mr. President, I am not going to ask for a recorded vote against S. 688, the re-authorization of the Overseas Private Investment Corporation. But I want to make it clear that I am not stepping back from my philosophies on this issue.

During my campaign for the United States Senate, I stressed the themes of balancing the budget, congressional reform, making government smaller, and moving the power out of Washington and into the states and localities. That is why I introduced the ''Overseas Private Investment Corporation Termination Act.''

I still fee it is time to end this form of subsidies for large companies. I have never believed in giveaway programs. Whether you are a farmer or a large corporation you should play by the rules of the free market system. Less government should be in the motto of this and every Congress.

OPIC may seem to have a good end goal but the problem is not the end but the means. Basically this is an insurance program run by the Federal Government for corporations who want to invest in risky political situations. This leads to the question, ''Is this the appropriate role for government?'' I don't believe so. But I also understand that the time is not yet ripe for ending this program.

I have met with the President of OPIC, George Munoz. He and I have agreed that our problem is not a conflict of interest, not different goals, and not a lack of proper communication. We merely have a fundamental philosophical difference. I believe free trade means free trade, not ''more free than others.''

I am a free trader. I am a supporter of the GATT and NAFTA. I believe that free trade is the best way to raise the living standards for all Americans. We need to support policies that reduce trade barriers. OPIC does not reduce trade barriers for all companies to compete in the marketplace. It is an income transfer program from U.S. taxpayers to a selected group of businesses. These subsidies may increase exports for a few selected companies that have the political influence to secure these loans, but it does little to expand the overall economic growth of this country.

OPIC's re-authorization will soon pass this Senate, but I wish it to be known that I still recommend its termination. I continue to worry that the majority of my colleagues will not fully understand the detrimental potentialities of this organization until the American taxpayer is stuck with a tremendous bill.

COSPONSORSHIP OF AMENDMENT

Mr. ROBB. Mr. President, on October 20, 1999, during debate over S. 1692, the Partial Birth Abortion Ban Act, I had asked to be added as a cosponsor of Senate amendment 2319, offered by Senator DURBIN. Unfortunately, my cosponsorship of this amendment was never reflected in the RECORD. Therefore, I ask unanimous consent that my name be added as a cosponsor of Senator DURBIN's amendment, and that the RECORD reflect that I was a cosponsor of this amendment when it was offered on October 20, 1999.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, November 1, 1999, the Federal debt stood at $5,664,867,046,795.77 (Five trillion, six hundred sixty-four billion, eight hundred sixty-seven million, forty-six thousand, seven hundred ninety-five dollars and seventy-seven cents).

Five years ago, November 1, 1994, the Federal debt stood at $4,728,710,000,000 (Four trillion, seven hundred twenty-eight billion, seven hundred ten million).

Ten years ago, November 1, 1989, the Federal debt stood at $2,879,489,000,000