

stay away from me. The court issues what they call stay-away orders, victim protection orders.

That woman may work in the District of Columbia. Now she crosses the line from Virginia or Maryland into D.C., and she gets harassed. The man violates the order, and she goes to a D.C. cop or D.C. court. They do not have any record of it. There is no record or they do not honor it. I am not talking about D.C. particularly. One State does not honor another State.

What we have done is beefed up the requirement that States honor these stay-away orders when women cross the line, literally cross a State line, cross a jurisdictional line.

There is a very well-known reporter at the Washington Post—although he has written about this, I am not going to take the liberty of using his name without his permission. His daughter was in a similar situation in Massachusetts. She was abused by someone. A stay-away order was issued. She was in Massachusetts. She was in a different county. The man, in fact, violated the order. They went into a local court. The local court, because there were not computerized records, did not know there was a State stay-away order.

By the way, the stay-away order says if you violate the order, you go to jail. If a man follows a woman into a different jurisdiction and the jurisdiction knows that order exists and he violates the order, they can arrest him and send him to jail on the spot because it is part of the probation, in effect, to stay away. It is part of the sentence, if you will; not literally a sentence. They can put him in jail.

George's daughter said: This guy has an order. He is not supposed to be near me.

The judge said: We have no record of that order because they are not computerized for interchange of these records.

They walked outside the courtroom, and this man shot her dead. He shot dead on the spot the daughter of this famous Washington reporter because there was not the honoring, even within the State, of these orders. We beefed that up.

By the way, in my State of Delaware, which has a relatively low murder rate, 60 percent of all the people murdered in the last 2 years were women murdered by their husband or their boyfriend. Did my colleagues hear what I just said? Murdered by their husband or boyfriend. The vast majority of women who are murdered in America are murdered by a significant other or their husband. This is not a game.

We are now in a position where there is, in fact, no authorization for the continuation of this law for which we worked so hard. Come October 1, which is what, how many days? Today is the 26th. The point is, in less than a week, this law is out of business.

I have much more to say about this, but I will not take the time of the Senate now. I am encouraged, I am heart-

ened by what the House did. I am encouraged by what Senator LOTT said to me today on the floor, and I look forward to the opportunity to convince the leader to bring this up in whatever form that will allow us to pass it because, again, this is not a Republican or Democratic issue. This literally affects the lives of thousands and thousands of women.

#### SUPPORTING DEMOCRACY IN SERBIA

Mr. BIDEN. Mr. President, on another matter which relates to another form of human rights, I wish to speak to the legislation we are going to bring up tomorrow, the Serbian Democratization Act of 2000. I am an original cosponsor of this legislation. I am told that tomorrow we are going to get a chance to deal with this issue.

As everyone knows, Slobodan Milosevic is on the ropes. Despite Milosevic's massive systematic effort to steal Sunday's Yugoslav Presidential election, his state election commission had to admit that the opposition candidate Vojislav Kostunica won at least the plurality of the votes already counted; 48.22 percent to be exact.

According to opposition poll watchers, Kostunica in all probability actually won about 55 percent of the vote, which would have obviated the need for a two-candidate second-round runoff with Milosevic, which now seems likely.

It is still unclear whether the democratic opposition will go along with this semi-rigged, desperation plan of Milosevic's to hang on by rigging the runoff. Even if Milosevic loses the runoff and is forced to recognize the results of the election, he may still attempt to hold on to the levers of power through his control of the federal parliament and of the Socialist Party with its network of political cronies and corrupt businessmen.

He may use the classic tactic of provoking a foreign crisis by trying to unseat the democratically elected, pro-Western government in Montenegro, a move I warned against on this floor several months ago.

We will have to wait and see for a few days before knowing exactly how the situation in Yugoslavia is going to develop, but there is no doubt whatsoever as to who the primary villain in this drama is. It was, it is, and it continues to be Slobodan Milosevic, one of the most despicable men I have personally met, and, as everyone in this Chamber knows, a man who has been indicted by The Hague Tribunal for war crimes and is the chief obstacle to peace and stability in the Balkans. Therefore, it should be—and has been—a primary goal of U.S. foreign policy to isolate Milosevic and his cronies, and to assist the Serbian democratic opposition in toppling him.

Earlier this year, with this goal in mind, the Serbian Democratization Act

of 2000 was drafted in a bipartisan effort. It is particularly timely that the Senate consider this legislation tomorrow, precisely at the moment when the Serbian people have courageously voted against Milosevic's tyranny that has so thoroughly ruined their country during the last decade.

I would like to review the main provisions of the legislation we will be voting on tomorrow and then propose alternative strategies for our relations with Serbia, depending upon the outcome of the elections.

The act supports the democratic opposition by authorizing \$50 million for fiscal year 2001 to promote democracy and civil society in Serbia and \$55 million to assist the Government of Montenegro in its ongoing political and economic reform efforts. It also authorizes increasing Voice of America and Radio Free Europe broadcasting to Yugoslavia in both the Serbo-Croatian and Albanian languages.

Second, the act prescribes assistance to the victims of Serbian oppression by authorizing the President of the United States to use authorities in the Foreign Assistance Act of 1961 to provide humanitarian assistance to individuals living in Kosovo for relief, rehabilitation, and reconstruction, and to refugees and persons displaced by the conflict.

Third, the act we will vote on tomorrow codifies the so-called "outer wall" of sanctions by multilateral organizations, including the international financial institutions.

I talked about this with Senator VOINOVICH of Ohio, and we agreed that we have to give the President more flexibility in this area.

Fourth, it authorizes other measures against Yugoslavia, including blocking Yugoslavia's assets in the United States; prohibits the issuance of visas and admission into the United States of any alien who holds a position in the senior leadership of the Government of Yugoslavia of Slobodan Milosevic or the Government of Serbia and to members of their families; and prohibits strategic exports to Yugoslavia, on private loans and investments and on military-to-military cooperation.

The act also grants exceptions on export restrictions for humanitarian assistance to Kosovo and on visa prohibitions to senior officials of the Government of Montenegro, unless that Government changes its current policy of respect for international norms.

The act contains a national interest waiver for the President. The President may also waive the act's provision if he certifies that "significant progress has been made in Yugoslavia in establishing a government based upon democratic principles and the rule of law, and that respects internationally recognized human rights."

Clearly, if the democratic opposition triumphs in the current elections, the chances will increase dramatically that the President will exercise this waiver option.

We, the Congress, are saying to the people of Serbia that they are our friends, not our enemies. It is their Government, it is Slobodan Milosevic that is the problem, not the Serbian people.

Today in the Committee on Foreign Relations, we discussed at length with Madeleine Albright what we should be doing about Serbia. I have discussed it as well with Senator VOINOVICH.

I see the Senator from Iowa is on the floor. He may be here for other reasons, but I know his keen interest in Serbia, the Serbian people, and the need for us to render assistance if they, in fact, move in the direction of democracy.

The act calls for Serbia to cooperate with the International Criminal Tribunal for the former Yugoslavia.

It also contains two important Sense of the Congress provisions. The first is that the President should condemn the harassment, threats, and intimidation against any ethnic group in Yugoslavia, but in particular against such persecution of the ethnic Hungarian minority in the Serbian province of Vojvodina.

The second voices support for a fair and equitable disposition of the ownership and use of the former Yugoslavia's diplomatic and consular properties in the United States.

Finally, in a move to facilitate the transition to democracy in the Federal Republic of Yugoslavia, Congress authorizes the President to furnish assistance to Yugoslavia if he determines and certifies to the appropriate congressional committees that a post-Milosevic Government of Yugoslavia is "committed to democratic principles and the rule of law, and that respects internationally recognized human rights."

Mr. President, the Serbia Democratization Act offers the President ample flexibility in dealing with Serbia. If Milosevic should succeed in frustrating the will of the Serbian people by stealing this election, the act will give the President of the United States a complete kit of peaceful tools to continue to try to undermine his oppressive regime.

If, on the other hand, the democratic opposition led by Mr. Kostunica manages to make its electoral victory stick, then the final provision of the act becomes the operative one in which we open up the spigot of increased assistance to a democratic Serbia. Obviously, this would be the preferred option.

Unfortunately, however, foreign policy is rarely so black and white. The apparent winner of the election, Mr. Kostunica, is vastly preferable to Milosevic, but this may be a case of damning by faint praise. As many of my colleagues have heard me say on other occasions, I met Milosevic in Belgrade during the Bosnian war and called him a war criminal to his face. Not only is he a war criminal, but he is thoroughly corrupt and anti-democratic.

Mr. Kostunica, by all accounts, is honest and democratic, a dissident in Communist times and a man with a reputation for probity. He seems, however, to represent a democratic, honest variant of a rather extreme Serbian nationalism.

His language describing NATO's Operation Allied Force has been strident. Like Milosevic—and most other Serbian politicians—he calls for the return of Kosovo to Belgrade's rule. But I am prepared to have an open mind on what he said. I can understand why, in running for President, being labeled by Mr. Milosevic as the "dupe of the West" and "a puppet of the United States," he would feel the need to openly condemn the United States.

I also do not have a problem with the fact that he may have used tough language with regard to Kosovo. There is a difference between words and his actions. So I will have great problems with him if, in fact, he tries to again suppress the Kosovars, who, if he comes to power will probably increase their agitation for independence.

Moreover, Kostunica has repeatedly said that if he is elected he would refuse to hand over The Hague those Serbs indicted by the International War Crimes Tribunal.

To a large extent Kostunica's criticism of Milosevic's policies toward non-Serbs in the old Yugoslavia—Slovenes, Croats, Bosniaks, and Kosovars—is that those policies resulted in four failed wars. There is no indication, for example, that Kostunica would cut off Belgrade's support for the radical Bosnian Serbs who on a daily basis are trying to undermine the Dayton Agreement.

Of course, as I have indicated earlier, Kostunica's policies must be seen in the context of an electoral campaign. Nonetheless, they do reflect what the traffic will bear. In other words, they reflect his view of contemporary Serbian society.

During the Bosnian war and after it, I often stated publicly that in my opinion Croatian President Franjo Tudjman was cut from the same cloth as Milosevic—an aggressive, anti-democratic leader. The only reason I advocated helping to rebuild his army was because, unlike Serbia, Croatia did not represent a major threat to the region. In fact, in the summer of 1995 the reorganized Croatian Army provided the Bosnian Army and the Bosnian Croat militia the support necessary to rout the Bosnian Serbs and bring all parties to the negotiating table.

Since Tudjman's death, Croatia has proven that beneath the surface of Tudjman's authoritarianism a genuine, Western-style democratic body politic survived. The newly elected government of President Stipe Mesic and Prime Minister Ivica Racan has utilized this mandate not only to enact domestic democratic reforms, but also to cut off support for the radical Herzegovina Croats who have done everything in their power to undo Day-

ton. The government has also taken the much less popular step of handing over to The Hague Tribunal several high-ranking Croats who were indicted for alleged war crimes.

The United States has a great deal invested in a democratic, multiethnic Bosnia, and if Serbia and the rest of the world is lucky enough to be rid of Slobodan Milosevic, we should not give him an *ex post facto* victory by applying a looser standard of behavior on his successor than we have to Tudjman's successors in Croatia. To be blunt: respect for Dayton and cooperation with The Hague Tribunal must be litmus tests for any democratic government in Serbia.

I fervently hope that Mr. Kostunica emerges victorious in the Yugoslav elections. If he does, the United States should immediately extend to him a sincere hand of friendship, with the assistance outlined in the pending legislation.

We should make clear to him that if he chooses to cooperate with us, a "win-win" situation would result, with tangible benefits for the long-suffering and isolated Serbian people who, we should never forget, were this country's allies in two world wars during the twentieth century.

If, on the other hand, Mr. Kostunica comes to power and thinks that his undeniable and praiseworthy democratic credentials will enable him to pursue an aggressive Serbian nationalist policy with a kinder face, then we must disabuse him of this notion.

Should our West European allies choose to embrace a post-Milosevic, democratically elected, but ultra-nationalistic Serbia, then I would say to them "good luck; we'll concentrate our policy in the former Yugoslavia on preparing democratic and prosperous Slovenia for the next round of NATO enlargement, on continuing to help reconstruct Bosnia and Kosovo, and on supporting the democratic governments in Macedonia, Croatia, and Montenegro."

Mr. President, the long-frozen, icy situation in Serbia appears finally to be breaking up. I genuinely hope that Serbia is on the verge of democracy. I urge my colleagues to support the Serbia Democratization Act of 2000 in order to enable our government peacefully to deal with any eventuality in that country.

Mr. HARKIN. Mr. President, will the Senator yield?

Mr. BIDEN. I yield to the Senator from Iowa.

#### THE VIOLENCE AGAINST WOMEN ACT AND THE NOMINATION OF BONNIE CAMPBELL

Mr. HARKIN. Mr. President, I want to engage in a small colloquy with the Senator. I tell my friend from Washington, I meant to get to the floor before the Senator finished speaking on the Violence Against Women Act.

Mr. BIDEN. Yes.