

The bill is still due. The infrastructure deficit is increasing. But today we only provide a partial payment.

Mr. BYRD. Mr. President, on behalf of Mr. DOLE, the majority leader, I ask unanimous consent that the vote on the adoption of the transportation conference report occur at 2:15 p.m. today and that paragraph 4 of rule 12 be waived.

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

Mr. BYRD. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HUTCHISON). Without objection, it is so ordered.

The Senator from Iowa is recognized.

Mr. GRASSLEY. I thank the Chair.

THE CONSERVATION TITLE

Mr. GRASSLEY. Madam President, it is my pleasure today to introduce a bill with the distinguished majority leader, Senator DOLE, the chairman of the Senate Agriculture Committee, Senator LUGAR, and the chairman of the Agriculture Subcommittee on Conservation, Senator CRAIG. This bill amends the conservation title of the farm bill that will be considered later in this Congress.

Madam President, my experience with this legislation that has been on the books for the last 10 years has generally been very favorable. I say that as a farmer, and I say that as a person who visits, as I have occasion to do now, at harvest time with my neighbors at the local New Hartford cooperative grain elevator in my State of Iowa; I say that with 10 years of experience of having hundreds of town meetings around my State, whereas, I do not find much opposition to what we passed 10 years ago.

So my legislation that we are introducing is not finding fault in any way with the basic premise of the legislation 10 years ago, but to make sure that that legislation fits, with the premise that existed 10 years ago, the intent of Congress at that particular time; and also at a time when we are in the process of cutting back Government support for agriculture, as we intend to balance the budget.

Last week, as you remember, the Senate approved the reconciliation bill, and that will bring the Federal budget into balance by the year 2002. And we do not wait until 2002 to start that. We started that last fiscal year when, earlier this calendar year, we passed the rescissions bill.

Now, in order to achieve the savings necessary to balance the budget, many difficult decisions had to be made, many difficult votes had to be cast, and

all Federal programs were examined to save money. The farm programs, then, were no exception. Throughout the entire budget process, I have argued that farmers are willing to share in the effort to balance the budget because they have a lot to gain if the budget is balanced. However, I do feel that it is vital to rural America and family farmers that any cut in farm programs be coupled with, on the first hand, tax reform, and on the second, a reduction in the regulatory burden placed on farmers.

I want to emphasize, with regard to the legislation of 1985, the soil conservation provisions and the antiswampbusting, antisodbusting provisions. When I talk about regulatory reform, I do not mean changing the original intent of that legislation. I simply mean in keeping the enforcement of that legislation to its original intent.

Put simply, then, Madam President, this bill will dramatically cut the red-tape and the regulations that farmers have to deal with while continuing, then, to maintain the conservation gains that we have made since the passage of the 1985 legislation.

I want to emphasize, regardless of the rhetoric you may hear, this bill does not jeopardize in any way the environment or the conservation gains that farmers have made since 1985. These conservation gains have been tremendous.

They have been made basically because of a timeframe that farmers could adjust economically to the requirements of the law and an opportunity to educate people about the process so that it could be self-enforcing.

What this bill does, then, is give farmers and the Department of Agriculture additional tools and flexibility to meet these conservation objectives.

Madam President, the bill addresses four major areas within the conservation title. What is called a CRP program, the conservation reserve program, the wetlands reserve provision, the conservation compliance provisions and swampbuster.

I want to briefly discuss those areas as it relates to the reforms that the four of us—Senator DOLE, myself, Senator LUGAR, and Senator CRAIG—propose.

Madam President, since the 1985 farm bill, farmers participating in the farm program have been required to comply with two regulatory mandates regarding conservation. The program referred to as the swampbuster program prohibits farmers from converting wetlands for crop production. No argument with that.

The program referred to as the sodbuster prohibits farmers from producing a crop on highly erodible land unless they comply with an approved conservation plan. It does not mean you cannot operate your farm the way you want to, but it does mean that if you do it you will do it in a way that

shows good stewardship of the soil. Also, good stewardship of the soil means better economic return; most importantly, a good resource for future generations is preserved.

In general, the sodbuster program has been received favorably by farmers, and the compliance rate has been very high. Again, I want to emphasize that. That is what I hear on Saturdays when I take grain to the local New Hartford cooperative grain elevator where I visit with my neighbors, but it is also something I hear in 99 counties around Iowa that I hold town meetings in each year.

That is because in Iowa there has been a willingness to cooperate. There has also been some lever—if you want to participate in a farm program, you have to have good soil conservation practices or you will not get the safety net of agriculture. Compliance has been very, very good because it is estimated in my State that 95 percent or better of farmers have compliance with soil conservation plans.

These are plans that they have determined will cut down on erosion on their own farm, and all they have to do is get that plan approved and then farm according to what they felt was a plan that would best fit their farming operation.

This is not one-size-fits-all approach. If you got 98,000 different farming units in the State of Iowa, you would have 98,000 different individual plans. Quite frankly, there is probably more than that. There must be, I guess. Anyway, there are that many individual farming operations. But you could have more than that number of plans.

Now, after 10 years of working with the program, it is obvious that improvements can be made to streamline the regulations and give more flexibility to both the farmer and the Department of Agriculture.

Even more significantly, Madam President, this bill attempts to put Natural Resource Conservation Service, which used to be known as Soil Conservation Service from the 1920's, until 2 years ago, it will put this segment of the Department of Agriculture back into the position of working with farmers instead of working against them.

Let me digress for a minute to explain that this situation now is kind of contentious between the farmers and Soil Conservation Service. It used to be you go into the Office of the Soil Conservation Service. You would sit down across from the desk of these State and Federal employees, and you go in and say to them, "Joe, I have a problem here on my farm. I have this tremendous amount of erosion here. What can I do about it?" Joe, being an expert trained in soil conservation would say to CHUCK GRASSLEY, "Well, I think this is what you need to do. You can do it this way, that is less expensive and might be able to accomplish the goal, or you can put in terraces, much more

expensive, but you will be able to accomplish this. Or there are certain tillage practices you can do that might accomplish the same goal."

Probably Joe would come out to your farm another day and would put flags out in the field saying this is where you have to put contour strips, or this is where you have to put terraces.

It was seen very much as a cooperative, working relationship as you would sit across the desk from Joe at the county seat Soil Conservation Service.

Today, farmers do not want to go in to the Soil Conservation Service and sit down across from Joe because they might bring up something that triggers to Joe, who is now a regulator rather than a consultant and a friend, that maybe CHUCK GRASSLEY did something that violated the law and he can be punished for it.

So we want to get this relationship reestablished as a cooperative relationship, a friendly relationship where this person is going to be a consoler and a help to the farmer rather than somebody who is seen as an enemy.

I just described to you how farmers in my State and most States work very closely with the Soil Conservation Service for six decades—60 years. Much of the progress made in conservation on farmland is due to that good working relationship between the farmer and the Department of Agriculture. It was a relationship based on trust and cooperation.

Unfortunately, as I indicated, in the last few years, the farmers have begun to look at people that are now named the National Resource Conservation Service—not the Soil Conservation Service—as a potential adversary.

Some farmers are reluctant to call on the NRCS for assistance due to the fear of being penalized for a possible violation.

On the other hand, the NRCS has had its hands tied to some extent, both by Congress and its own regulations. So we have contributed some to this problem that exists of this relationship of where neighbor could be helping neighbor.

So, Madam President, this situation cannot continue to exist. It is not good for the farmer. It is not good for the NRCS. Most importantly, it is not good for the environment.

There must be a renewal of a partnership between the farmer and the NRCS if we expect the gains in conservation on private property to continue.

The NRCS must work with farmers to assist them, to educate them, instead of just regulating farmers. I sincerely believe, Madam President, that the NRCS wants to play this role as a farmer's helper and this legislation shows that we want to help them do that.

Madam President, now I want to turn to the swampbuster provisions—the issues of wetland protection.

It has become a very emotional issue in my State. Not because the original legislation in 1985 was wrong, it is what

bureaucrats have tried to do with it, probably in just the last 3 or 4 years.

While farmers share the goal of protecting valuable wetlands, the scope of swampbuster has been extended far beyond its original intent through the rulemaking process to the detriment of what farmers have wanted to do, sharing this goal. A study of the legislative history shows that Congress never intended to regulate land that had been cropped regularly in the past.

Just think, on a century farm—which means it has been in the same family for over 100 years—until a couple of years ago you could have not had any problems, if that land had been regularly producing, or attempting to produce for a farmer. But now you can have problems. There is another problem. That land that had been converted prior to the passage of the 1985 act was never intended to be regulated. Both of these principles have been eroded through regulation and agency action, not through the basic legislation. This bill restores the original intent of Congress. The bill removes from swampbuster regulation land that has been cropped at least 6 out of the last 10 years.

The bill also eliminates the concept of abandonment—a regulatory concept, not a statutory one—that has been used by the Department to bring prior converted lands back under swampbuster regulation. In other words, we pass the bill, it takes effect on December 28, 1985, and everything that happened before then was history. But not to regulators. They will use some devious means to get back to affect something that took place prior to that magic date.

So, this bill sets a 1-acre minimum for wetland regulation. And most of the conflict here, that has happened between the farmers and the NRCS, has occurred because the Government has literally attempted to regulate every acre of farmland under the farm program. This 1-acre minimum also corresponds with the Army Corps of Engineers' general permit for non-agricultural property.

Just explain to me how we, as a Congress, making law so that the law applies equally across the country to different segments of the economy in the same way, can have the Army Corps of Engineers in nonagricultural land, with something less than 1 acre not being regulated and probably not producing any food for the city slickers of this country, and go over here to agricultural land administered by a different agency and say 1 square foot of wetland can be regulated.

We, again, go back to the intent of Congress not to be nitpicking in 1985. This 1-acre minimum, in conformance with the way it is for the Army Corps of Engineers, ought to solve our problem. It will be perfectly consistent.

Madam President, even though the bill is intended to restore the original intent of Congress on swampbusters, some in the environmental community may criticize these provisions because they want this expansion through regu-

lation and administrative edict beyond what the original 1985 law intended. So I want to say to those who criticize our motives that we agree that the protection of wetlands should be a priority and it should be encouraged. But reasonable people can differ on the means of accomplishing this goal. When the Government is attempting to regulate private property it is vital that the landowner have the proper incentives in order to voluntarily satisfy the policy goals. So this bill provides for several tools that can be used by farmers to voluntarily protect wetlands.

If you do not think that this works, voluntarily protecting wetlands, there has been a massive amount of agricultural land at the incentive of the farmer to put it into wetlands, that have come in under this voluntary program. Tens of thousands of acres have gone into wetlands because the farmers have wanted to put it there.

So this bill, first, expands the existing mitigation provisions and encourages farmers to restore, enhance and create new wetlands. Second, the bill directs the Secretary of Agriculture to pursue mitigation banking, so that farmers will finally be on the same playing field as other landowners. Both of these mitigation provisions ensure that new wetlands will continue to be created.

Last, the bill permits up to 1.5 million acres of cropped wetlands into the Conservation Reserve Program, that is the CRP. So this is a strong incentive for farmers to continue to protect valuable wetlands. This provision, along with the reauthorization of the Wetlands Reserve Program, is indicative of this bill's commitment and its sponsors'—DOLE, CRAIG, GRASSLEY, LUGAR—to protecting wetlands on private property.

This bill also focuses on a renewed commitment to water quality protection. The conservation reserve provisions of the bill establish water quality as a coequal criterion with soil erosion for determining eligible lands. Furthermore, at least 1.5 million acres of filter strips, grass waterways and other riparian areas will be enrolled in the program.

These modifications to the CRP will allow farmers to play an active role in protecting water quality in the rural areas.

So, before closing, I want to just add that all of us share the goal of conserving soil, improving water quality, enhancing wildlife, and protecting wetlands. In fact, the farmers themselves have the highest stake in conserving the land because there is better economic return, there is a responsibility to be a steward for the next generation, and besides, it is a very pretty picture, to have good farmland with good conservation practices. It is just beautiful, from an aesthetic standpoint.

But the land is our livelihood and most of us farmers know that we want to pass the land on to our children and our grandchildren.

Sometimes public servants here in Washington who are elected, and bureaucrats who were unelected, forget that the farmers want to do the right thing and that right thing is to protect the environment. The unelected bureaucrats also forget that we are dealing with private property and that private property rights are truly the foundation on which freedoms are built—political freedoms, primarily.

So there must be a balance between the regulatory limits placed on farmers and their private property rights. I believe this bill strikes this delicate balance in a way that will continue to preserve this Nation's most valuable natural resources, our farmlands.

Before yielding the floor, I thank Senator DOLE, Senator CRAIG, and Senator LUGAR for working on this bill with me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Madam President, let me first of all associate myself with the remarks of the Senator from Iowa in the introduction of the legislation that he has just, in a very thoughtful and important way, gone through for the RECORD and for the American people.

I think the Senator from Iowa said something very important a few moments ago that is oftentimes missed. He is a farmer. I am a former farmer and rancher.

And he, I, Senator DOLE, and Senator LUGAR, who also have farm heritage and background owning farmland, recognize the phenomenal valuable asset this land is to the American people. Farmers have been foremost, along with ranchers, environmentalists and conservationists.

The legislation we have introduced today speaks to those interests in recognizing the important balance between conserving the land, protecting water quality, ensuring the environment, and allowing a productive environment also for the purposes of being able to farm in a profitable manner.

I think this legislation does it, and it allows the farmer once again to take the initiative with USDA and its affiliate agencies as those who cooperate instead of regulators, as the Senator so clearly spoke of.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. I thank the Chair.

(The remarks of Mr. CRAIG pertaining to the introduction of S. 1368 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the Chair.

Madam President, I ask unanimous consent that I may be allowed to proceed as if in morning business for up to 10 minutes.

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

Mr. LIEBERMAN. I thank the Chair.

THE UNITED STATES ROLE IN BRINGING PEACE AND JUSTICE TO THE FORMER YUGOSLAVIA

Mr. LIEBERMAN. Madam President, I rise this morning to comment on developments in the former Yugoslavia.

I particularly want to comment on a resolution, House Resolution 247, which was adopted last night in the other body.

Madam President, I say respectfully that there are two parts to this resolution. The first I disagree with. The second I think is unnecessary.

I rise to make the point that as the representatives, the Presidents of the three major parties to the war in Bosnia, Bosnians, Croats, Serbians—gather in Dayton, OH, to begin the effort that many thought was impossible—to negotiate a peace treaty in the Balkans—that it is appropriate for us to step back. It is a time not to pass resolutions, in my opinion. It is a time to ask questions that are appropriate about the course of the negotiations. But it is primarily a time to give the negotiators some room to see if they can achieve an agreement that will bring peace to the former Yugoslavia.

Madam President, I rise to explain why I am troubled by this resolution, and what I hope will be the course of congressional action here. Let me begin with recent events.

The people of the former Yugoslavia have suffered almost unimaginable horrors for the last several years. Every day seems to bring new reports of genocidal acts in Bosnia.

In the past week alone we have seen disclosures which are chilling, that confirm our worst suspicions about the fate of so many people who lived in the alleged safe haven of Srebrenica, who were driven from their homes and now, according to eyewitness testimony, were slaughtered by Serb forces; according to some accounts, in the presence of, perhaps at the direction of, General Mladic, the commander of the Bosnian Serb forces already indicted by the international war crimes tribunal.

New reports highlight ethnic cleansing and genocide by the Serbs in the area of Banja Luka which continues even now although these reports are sketchy because the international media has been denied access to these locations.

Madam President, last week Assistant Secretary of State for Human Rights John Shattuck was in Bosnia and Croatia to investigate the reports that have come out of the region. He found that prison camps such as Keraterm—the site several years ago of outrageous human rights violations—have been reopened. A cease-fire is declared but a prison camp is reopened, the site of torture has been reopened. He found that people had been forced from their homes in Banja Luka, some sent to prison camps, some sent into

forced labor, and apparently too many others murdered, slaughtered, especially in the Sanski Most and Bosanski Novi areas around Banja Luka.

Assistant Secretary Shattuck met in Belgrade with President Milosevic and demanded immediate and unconditional access to all missing persons and to areas where crimes have or may have been committed.

He also discussed the situation of refugees from the Krajina. Several thousand Croatian citizens of Serb background want to return to their homes there. Shattuck found indicators of a human rights situation which is nearly out of control with people of all ethnic backgrounds being dislocated, persecuted and murdered, not for what they have done but simply for who they are.

We cannot let the frequency, the regularity of these reports of systematic campaigns of rape and terror numb us to these atrocities. We must express our outrage as we did when we first heard these reports years ago. We must recommit ourselves to bringing the genocide, the torture, the rape, the slaughter to an end and to bring those responsible for this barbarity to justice.

Last week, I was privileged to join with the distinguished occupant of the chair, Senator HUTCHISON, of Texas, and our colleagues Senators MCCAIN, LEVIN, THURMOND, and others, in offering a resolution expressing the sense of the Senate on this human rights, this life and death crisis. The resolution was unanimously adopted as an amendment to the budget reconciliation bill last Friday.

Let me go to the words of that resolution because we spoke clearly and unanimously to "condemn the systematic human rights abuses against the people of Bosnia and Herzegovina."

We spoke unanimously to demand that the Bosnian Serb leadership "should immediately halt these atrocities, fully account for the missing, and allow those who have been separated to return to their families."

These are words that describe a situation that we can only imagine. It is hard for us to put ourselves into. But men and boys separated from mothers and daughters. Where are they going? What will become of them? We now find, certainly in Srebrenica, that what became of them was that they were slaughtered and buried in mass graves.

Again last week in the resolution promulgated by the occupant of the chair, Senator HUTCHISON, we spoke unanimously to assert that "ethnic cleansing" by any faction, group, leader or government is unjustified, immoral and illegal and all perpetrators of war crimes, crimes against humanity, genocide and other human rights violations in former Yugoslavia must be held accountable."

Every side in the Bosnian conflict bears some guilt, some responsibility