

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

for ethnic violence. The Serbs of Bosnia and of Serbia-Montenegro, the Croats of Bosnia and of Croatia, rebel Moslems in northwest Bosnia, even Bosnian Government forces have inflicted war on civilian populations and driven people from their homes. But there can be no doubt that now, as throughout the years of war and strife suffered by the Bosnian people, the Serbs are primarily responsible and have committed the most heinous and brutal crimes.

America must do all that it can to end these atrocities and to ensure that the guilty are punished without supporting retribution and allowing the cycle of violence to continue. The international community has put in place a mechanism to do this—the War Crimes Tribunal for former Yugoslavia.

Earlier this month in Storrs, CT, at a dedication ceremony for the Thomas J. Dodd Library and Research Center to preserve the memories of the Nuremberg War Crimes Tribunal 50 years ago, President Clinton said: “Those accused of war crimes, crimes against humanity and genocide must be brought to justice. They must be tried and, if found guilty, they must be held accountable.” I agree wholeheartedly with the President as I know my colleagues do.

Madam President, in some substantial degree the latest horrific stories of mass slaughter from Srebrenica, reflected in the resolution adopted unanimously on Friday evening, remind us of why so many of us in this Chamber have been concerned about the course of events in the former Yugoslavia. As I saw these events, and others agreed—some did not—from the beginning this has been a case of aggression by Serbia, stimulated in fact from Belgrade. Perhaps it went beyond what Belgrade sought, what Belgrade expected. Perhaps Belgrade was forced to suffer more than they expected because of the economic sanctions. But this has been a course of aggression to build a greater Serbia using genocidal tactics as a means of that aggression.

What did that mean? Again, one nation in Europe invading another, committing genocidal acts based on the religion of a people, in this case Moslem; instability in Europe, at a post-cold war time when that instability could spread, if not checked, throughout the Balkans, involving other countries—Turkey, Greece, Bulgaria, Albania—and sending a terrible message to those who had lived within the former Soviet Union about the lack of concern or unwillingness to act by the world, by the powers in Europe, by NATO.

So, many of us called for a policy of “lift and strike.” Lift the arms embargo. At least give the people of Bosnia the weapons with which to defend themselves and then use NATO air power to strike at the Serbs to make them pay for the aggression and for the genocide. For too long no one listened. Excuses were given. But ultimately, a resolution passed this Chamber and the

House, overwhelmingly, with bipartisan support, calling for our Government to lift the arms embargo unilaterally if the world community was not prepared to do so multilaterally.

Then came the Croatian invasion and capture of the Krajina. The outrageous, the unspeakable murders at Srebrenica—an army attacking an unarmed safe haven, U.N. peacekeepers from the Netherlands left in a horrible middle position—ultimately aroused the conscience of the world and particularly the NATO powers leading to the extremely successful NATO airstrikes against Serbian targets, poignantly forcing us to raise the question of whether those airstrikes, if they had happened at an earlier time, could have prevented some of the slaughter that occurred. Because once leadership was exercised and power was brought to bear, and those who were the aggressors were forced to suffer some pain and humiliation, the road to peace was opened. Assistant Secretary Holbrooke has moved skillfully, aggressively in difficult circumstances to find some common ground among the parties to bring about a cease-fire that now leads us to the discussions occurring in Dayton, OH, that begin tomorrow.

Some rightly have questioned the idea of negotiating with Serb leaders who may themselves be guilty of war crimes and crimes against humanity. If we hope to reach a settlement which will bring the Bosnian conflict to an end, it may be that we have no choice but to negotiate with Serb leaders. No one should misconstrue these negotiations as excusing, forgiving or forgetting war crimes which have been committed. We are doing none of that. Those who have committed war crimes with their acts or their orders will be brought to justice.

Moreover, before real negotiations can begin, the Serbs must be required to stop ethnic cleansing and other atrocities which are still taking place. This is not an unrealistic or unwarranted precondition, but a test of whether these negotiations can achieve peace. If one party or another chooses to continue to propagate the war or undertakes or tolerates ethnic cleansing, then we are not dealing with leaders who want peace.

If these leaders do not control their own forces and cannot restore an order which prevents further atrocities and turns the guilty over for punishment, then how can these leaders implement a negotiated settlement in which territory will change hands but the rights of all people will be respected?

But if those leaders gathering in Dayton do stop the fighting and the atrocities, we must give them every opportunity to achieve a negotiated settlement. We owe this to those who have already died, but more importantly to those who still live and who want to live in peace.

The settlement which eventually comes from these negotiations may not be what some of us would like, but we

should not second-guess the decisions of those who will make them and who are willing to live with the results. However, a few elements will be key to any viable settlement:

To give reconciliation a chance, there must be real protection for human rights.

To provide hope for full reintegration of a multiethnic Bosnian state, there must be significant unity through a meaningful Bosnian central government.

To ensure long-term stability, a regional military balance must be ensured—not just within Bosnia, but among Bosnia, Serbia, and Croatia. This will probably require both arms control and reductions as well as arming and training the Bosnians.

Finally, to ensure justice without retribution, the settlement must require all states of the former Yugoslavia—Serbia-Montenegro and Croatia as well as all parties in Bosnia—to fully cooperate with the War Crimes Tribunal and to comply with its indictments and decisions. There can be no amnesty, no refuge for any guilty party. As President Clinton said in Storrs, CT, “There must be peace for justice to prevail, but there must be justice when peace prevails.”

Madam President, the question of whether there will be a peace treaty depends on the three nations that are gathered there under American auspices in Dayton, OH. If they achieve a peace agreement and open the door to the end of this slaughter, and present an opportunity to preserve the stability in Europe—remember again, why are we interested? Twice in this century aggression and genocide unchecked in Europe led to wider war. But if a peace treaty is agreed on, it is clear that NATO forces will be needed to implement that peace treaty to monitor, to keep the parties apart.

Let us be clear that we are on the eve of proximity talks and the prospect of peace because the United States exercised leadership and power and the North Atlantic Treaty Organization exercised power through discriminate and carefully planned air strikes. United States leadership and NATO bombing against the Bosnian Serb aggressors were absolutely essential to bringing all sides to the peace process. But our involvement cannot end there.

U.S. leadership and involvement by the United States and NATO will be essential to the successful implementation of a settlement. The United States cannot bring the parties this close to peace and then just wash our hands of them. We will need to lead this effort and to be involved as befits the leader of the free world. We owe this to our NATO allies and to the alliance which has served peace and stability for nearly 50 years. We owe this to the ravaged people of Bosnia. And we owe this to the memories of all who have been the victims of genocide. It is only right—no, it is necessary—for the United States to stand up to genocide. We did

not stand up in time 50 years ago and too many innocents perished as a result. We must not repeat this mistake.

The United States is the leader of NATO. NATO functioned as an extraordinarily successful defensive military alliance against the Soviet Union throughout the cold war. There are those post-cold war who have asked, what is NATO's purpose? But remember, NATO is the strongest functioning military alliance among nations in the world. The NATO powers gathered at our urging to fight alongside us in the gulf war to bring about that magnificent post-cold-war victory. Clearly, NATO will not be willing to play the role of peacekeeper or keeping the peace that may be achieved in Dayton, OH, unless the United States is part of that peacekeeping force. I think we have to be honest about that. If we are not part of that force, NATO will not go in, there will not be peace in the Balkans, and we have only more aggression, more instability, and perhaps more genocide to look forward to.

Beyond that, Madam President, I would say this. The relationship in NATO works both ways. Our allies in Europe are asking us to be part of this. Our friends in Bosnia are saying they will not trust the peace unless we are part of policing it.

But what is the next crisis going to be in which we will not want to carry the burden alone, in which we are turning to our allies in NATO and saying, "Help us"? What will they say if we say to them in this case, "Sorry, folks, you take care of it"?

So I say to my colleagues in the Senate, there is a lot on the line here. That is why I say that the resolution passed in the House last night was untimely and unhelpful. I support the policy of American forces being part of a NATO force to police a peace treaty that is agreed upon in NATO. Are there questions to ask? Yes, there are. Should the administration consult with Congress? Of course it should. And it has been. But this is a time for questions, not resolutions.

Let me also say I support the second part of the House resolution, which says troops should not be dispatched without congressional authorization. But let us remember this: So does President Clinton. He said to Senator BYRD in his letter he would welcome, encourage, and at the appropriate time request an expression of support by Congress. That is what I anticipate.

President Clinton has already begun the important process of consultations with Congress. Key senior officials—Secretary of State Christopher, Secretary of Defense Perry, the Chairman of the Joint Chiefs of Staff, General Shalikashvili—have all come to Congress to explain the why and how of this proposed undertaking. Everyone understands that there are many important questions which remain unanswered. Some of these answers will depend on the outcome of the negotiations in Dayton. Some will depend on ongoing NATO military planning. Some will depend on decisions to be

made by the North Atlantic Council. But the President and other administration officials have made clear that the United States will participate in implementing a peace settlement only if several nonnegotiable conditions are met.

The operation must be a NATO operation, with full NATO command and control and no U.N. dual key arrangements.

The mandate for U.S. forces and their missions must be clear.

The forces must be large enough and the rules of engagement sufficiently robust for the NATO force to carry out its mission and to defend itself from any attack.

President Clinton and his Cabinet officials have promised to continue their close consultations with the Congress and to explain their proposals to the American people in order to assure that the President has their support.

This process of consultation should continue in a meaningful, bipartisan way. The President needs the support of Congress and the American people if this mission is to be successful. Just as President Bush recognized the need for congressional support before combat began in the Persian Gulf war, President Clinton realizes the importance of congressional support. Thus, he has said, in words nearly identical to those used by President Bush in January 1991, he "would welcome, encourage and, at the appropriate time, request an expression of support by Congress promptly after a peace agreement is reached."

So I hope that my colleagues in both Chambers will give the negotiators some room, ask questions, but hold the resolution until a much more appropriate and constructive time.

I welcome the coming debate. The stakes are too high for the people of Bosnia, for our men and women in uniform, for the position of America in the world of the next century and for all Americans for us not to engage in this debate.

Just as in those early days of 1991 when I joined a majority of the Senate in supporting George Bush's use of force in the gulf war, we are at a turning point in our history. When His Holiness Pope John Paul II was recently in the United States, he spent a short period of time with President Clinton. The President reports that the Pope said to him at the end of that conversation, "Mr. President, I am not a young man. I have a long memory. This century began with a war in Sarajevo. We must not let this century end with a war in Sarajevo."

If we believe in the hope expressed by the Pope and in the important role which America must play in the world, we must be involved in implementing peace in Bosnia. Without us there will be no involvement by NATO. Without NATO there will be no peace to implement. Without peace in the Balkans, there will be no peace and no stability in Europe, and there will be a continuation of murder and genocide. I am not prepared to accept this outcome for America or the world.

I thank the Chair and I yield the floor.

ORDER OF PROCEDURE

Mr. KERRY addressed the Chair.

What is the business before the Senate?

The PRESIDING OFFICER. The conference report on transportation appropriations.

Mr. KERRY. Is there any time limit at this point in time?

The PRESIDING OFFICER. Yes. The previous order was to recess at the hour of 12:30 p.m. until 2:15 p.m.

Mr. KERRY. I ask unanimous consent that I be permitted to proceed for such time as I might consume. It will not be long. I assume the Senator from Minnesota wants time.

Mr. WELLSTONE. I ask unanimous consent for 5 minutes before we close, if that would be all right.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. KERRY. Madam President, I thank you very much. I shall not be long.

BOSNIAN PEACE POLICY

Mr. KERRY. I listened with interest to the comments of the Senator from Connecticut, with whom I worked on this issue, and others. He is correct that certainly the resolution passed by the Senate with respect to the arms embargo sent a message. But the truth is that the policy that has been put in place in Bosnia that has been successful was the opposite of what that resolution called on the Senate to do. People should reflect on that. The resolution that was passed so dramatically by the Senate said, "Let's abandon the place and basically just arm them and let them fight." Many of us argued that that would have been a disastrous event for the world, for the United Nations, for NATO, and that everybody would have been left asking who was responsible for this extraordinary mess if that had, indeed, been the policy of this country.

Courageously, the President pursued a different policy. The different policy that he pursued was to finally elicit from our friends and allies in Europe a willingness to do what the President had been asking them to do for some period of time, which was to be willing to take certain risks, use the power of NATO, and try to force the process to peace talks.

There is less killing in Bosnia today than there would have been if the policy of the United States Senate had been pursued. There is less killing today because the President and NATO and the European leaders undertook a policy, which I will agree was one that