

activities and will work side-by-side with the Senator from Georgia to ensure these resources are committed to our war on drugs.

Mr. COVERDELL. I thank the chairman for his efforts to stop the flow of illegal narcotics into the United States.

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the motion to concur in the House amendment with the Leahy-Kassebaum amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Oregon [Mr. HATFIELD] is necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "yea."

Mr. FORD. I announce that the Senator from New Jersey [Mr. BRADLEY] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 561 Leg.]

#### YEAS—53

Akaka	Feinstein	Moynihan
Baucus	Glenn	Murray
Biden	Graham	Nunn
Bingaman	Harkin	Pell
Boxer	Hollings	Pryor
Brown	Inouye	Reid
Bryan	Jeffords	Robb
Bumpers	Kassebaum	Rockefeller
Byrd	Kennedy	Roth
Campbell	Kerrey	Sarbanes
Chafee	Kerry	Simon
Cohen	Kohl	Simpson
Conrad	Lautenberg	Snowe
Daschle	Leahy	Specter
Dodd	Levin	Stevens
Dorgan	Lieberman	Thomas
Exon	Mikulski	Wellstone
Feingold	Moseley-Braun	

#### NAYS—44

Abraham	Ford	Lott
Ashcroft	Frist	Lugar
Bennett	Gorton	Mack
Bond	Gramm	McCain
Breaux	Grams	McConnell
Burns	Grassley	Murkowski
Coats	Gregg	Nickles
Cochran	Hatch	Pressler
Coverdell	Heflin	Santorum
Craig	Helms	Shelby
D'Amato	Hutchison	Smith
DeWine	Inhofe	Thompson
Dole	Johnston	Thurmond
Domenici	Kempthorne	Warner
Faircloth	Kyl	

#### NOT VOTING—2

Bradley	Hatfield
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So the motion was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I see the distinguished leader in the Chamber. And I just mention first that we have, so my colleagues will know—

The PRESIDING OFFICER. The Senator will suspend. The Senate will come to order, please.

Mr. LEAHY. So colleagues would know, we have passed the conference and sent one amendment back in disagreement.

Mr. DOLE. Let me thank the managers of the bill.

#### MORNING BUSINESS

Mr. DOLE. Mr. President, I now ask unanimous consent that there be a period for the transaction of morning business until 6:30 p.m. with Senators permitted to speak therein for not more than 5 minutes each.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### MESSAGES FROM THE HOUSE

At 12 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2492. An act making appropriations for the legislative branch for the fiscal year ending September 30, 1996, and for other purposes.

The message also announced that the Speaker appoints the following Member as an additional conferee in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2491) to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996:

From the Committee on Agriculture, for consideration of title I of the House bill, and subtitles A-C of title of the Senate amendment, and modifications committed to conference: Mr. BROWN of California.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1868) making appropriations for foreign operations, export financing, and related programs for fiscal year ending September 30, 1996, and for other purposes; that the House recedes from its disagreement to an amendment of the Senate and concurs therein with an amendment in which it requests the concurrence of the Senate.

#### MEASURES REFERRED

The following bill, previously received from the House for the concurrence of the Senate, was read the first and second times by unanimous consent and referred as indicated:

H.R. 1114. An act to authorize minors who are under the child labor provisions of the Fair Labor Standards Act of 1938 and who are under 18 years of age to load materials into balers and compactors that meet appropriate American National Standards Institute design safety standards; to the Committee on Labor and Human Resources.

H.R. 436. An act to require the head of any Federal agency to differentiate between fats,

oils, and greases of animal, marine, or vegetable origin, and other oils and greases, in issuing certain regulations, and for other purposes; to the Committee on Environment and Public Works.

#### MEASURES PLACED ON THE CALENDAR

The following measure was read the second time and placed on the calendar:

S. 1372. A bill to amend the Social Security Act to increase the earnings limit, and for other purposes.

The following bill was ordered placed on the calendar:

H.R. 2492. An act making appropriations for the legislative branch for the fiscal year ending September 30, 1996, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DOLE (for himself, Mr. LUGAR, Mr. CRAIG, and Mr. GRASSLEY):

S. 1373. A bill to amend the Food Security Act of 1985 to minimize the regulatory burden on agricultural producers in the conservation of highly erodible land, wetland, and retired cropland, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CRAIG (for himself and Mr. KEMPTHORNE):

S. 1374. A bill to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and nonmotorized river craft in the recreation area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURNS (for himself, Mr. CRAIG, Mr. GORTON, Mr. GRASSLEY, Mr. MCCONNELL, Mr. DASCHLE, Mr. HARKIN, Mr. KERREY, and Mr. KEMPTHORNE):

S. 1375. A bill to preserve and strengthen the foreign market development cooperator program of the Department of Agriculture, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MCCAIN (for himself, Mr. THOMPSON, Mr. KERRY, Mr. FEINGOLD, Mr. KENNEDY, and Mr. COATS):

S. 1376. A bill to terminate unnecessary and inequitable Federal corporate subsidies; to the Committee on Governmental Affairs.

By Mr. LUGAR:

S. 1377. A bill to provide authority for the assessment of cane sugar produced in the Everglades Agricultural Area of Florida, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCAIN (for himself, Mr. BAUCUS, Mr. BENNETT, Mr. BINGAMAN, Mr. BRADLEY, Mr. BREAUX, Mr. BROWN, Mr. BRYAN, Mr. BURNS, Mr. CAMPBELL, Mr. CHAFEE, Mr. COCHRAN, Mr.

COHEN, Mr. CONRAD, Mr. CRAIG, Mr. D'AMATO, Mr. DASCHLE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. EXON, Mr. FAIRCLOTH, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GORTON, Mr. GRAHAM, Mr. HATCH, Mr. INHOFE, Mr. INOUE, Mr. JEFFORDS, Mrs. KASSEBAUM, Mr. KEMPTHORNE, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, Mrs. MURRAY, Mr. NICKLES, Mr. PELL, Mr. PRESSLER, Mr. REID, Mr. SARBANES, Mr. SIMON, Mr. SIMPSON, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THURMOND, and Mr. WELLSTONE):

S. Res. 191. A resolution designating the month of November 1995 as "National American Indian Heritage Month," and for other purposes; considered and agreed to.

## STATEMENT ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DOLE (for himself, Mr. LUGAR, Mr. CRAIG, and Mr. GRASSLEY):

S. 1373. A bill to amend the Food Security Act of 1985 to minimize the regulatory burden on agricultural producers in the conservation of highly erodible land, wetland, and retired cropland, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

### THE AGRICULTURAL RESOURCES ENHANCEMENT ACT OF 1995

Mr. LUGAR. Mr. President, I am very pleased to join Senators DOLE, GRASSLEY, and CRAIG today in introducing the Agricultural Resources Enhancement Act of 1995, which is our blueprint for the conservation title of the new farm bill. This legislation builds on agriculture's environmental successes over the past decade while also adding new flexibility for our farmers and ranchers as they enter the 21st century.

In May I advanced several concepts to improve the Conservation Reserve Program, our conservation land retirement initiative. I also introduced the new Environmental Quality Incentives Program, which I am proud to note was included in the budget reconciliation bill approved by the Senate last week. Meanwhile, Senators DOLE, GRASSLEY, and CRAIG developed several concepts for the CRP and for the conservation compliance and swampbuster programs. The bill we are introducing today combines the best of our recommendations into a single strategy that will protect both the environment and the property rights of our Nation's agricultural producers.

Our proposal improves the CRP by adding a new water quality emphasis and by targeting the program to the highly erodible land most in need of protection. There is land now in the CRP that can be brought back into production without harming the environment. At the same time, there is also valuable acreage not now in the reserve that deserves long-term protection. This legislation accomplishes both goals.

This bill also makes much needed changes to the swampbuster compli-

ance program, including an exemption for frequently cropped farmland. In the conservation compliance program, farmers would gain significant new flexibility to adopt soil-saving techniques. Our goal is to make both programs effective in preserving valuable resources and workable in the field.

Finally, our legislation includes unprecedented provisions to improve wildlife habitat on agricultural lands. Frequently cropped wetlands would be eligible for the CRP. Habitat potential will be considered in evaluating offers to enroll land in the CRP and the Wetlands Reserve Program. Expiring water bank acres would be eligible for the WRP. And the Secretary is encouraged to maximize wildlife habitat benefits from all our conservation programs.

My cosponsors and I represent a broad range of agricultural interests and have diverse regional backgrounds. As such, I am optimistic the provisions we have included in our bill will be embraced by a majority in the Agriculture Committee and in the Senate as a whole. I look forward to working with all my colleagues in developing a new farm bill with provisions as meaningful for the environment as those in the landmark farm bill we passed a decade ago.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

### S. 1373

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Agricultural Resources Enhancement Act of 1995".

#### SEC. 2. PURPOSES.

The purposes of this Act are to—

- (1) restore respect for private property rights and the productive capacity of the agricultural sector;
- (2) reduce unnecessary regulatory burdens on farmers while maintaining basic environmental objectives; and
- (3) recognize that conservation and environmental objectives are best met with voluntary efforts.

#### SEC. 3. DEFINITIONS.

(a) IN GENERAL.—Section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)) is amended—

- (1) by redesignating paragraphs (2), (3), (4), (5), and (6) through (16) as paragraphs (3), (5), (6), (7), and (9) through (19), respectively;

(2) by inserting after paragraph (1) the following:

"(2) ALTERNATIVE CONSERVATION SYSTEM.—The term 'alternative conservation system' means a conservation system that achieves a substantial reduction in soil erosion from the level of erosion that existed prior to the application of the conservation measures and practices provided for under the system.";

(3) by inserting after paragraph (3) (as so redesignated) the following:

"(4) CONSERVATION SYSTEM.—The term 'conservation system' means the conservation measures and practices that are approved for application by a producer to a highly erodible field and that provide for cost effective and practical erosion reduction on the field based on local resource condi-

tions and standards contained in the Natural Resources Conservation Service field office technical guide.";

(4) by inserting after paragraph (7) (as so redesignated) the following:

"(8) FREQUENTLY CROPPED AGRICULTURAL LAND.—The term 'frequently cropped agricultural land' means agricultural land that—

"(A) exhibits wetland characteristics, as determined by the Secretary; and

"(B) has been used for 6 of the 10 years prior to January 1, 1996, for agricultural production on the field, as determined by the Secretary, or production of an annual or perennial agricultural crop (including forage production or hay), an aquaculture product, a nursery product, or a wetland crop.";

(5) in paragraph (10) (as so redesignated), by adding at the end the following:

"(C) PRODUCER-INITIATED REVIEW OF HIGHLY ERODIBLE LAND DESIGNATION.—A designation of highly erodible land on agricultural land made under this title shall be valid until an owner or operator requests a new designation. The Secretary shall provide the designation on the request of the owner or operator.

"(D) SCIENCE AND TECHNOLOGY.—A designation of highly erodible land under this title may be based on the most contemporary science, method, or technology, as determined by the Secretary, for determining soil erodibility that accurately reflects the potential for soil loss."

#### (b) CONFORMING AMENDMENTS.—

(1) Section 363 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2006e) is amended by striking "section 1201(a)(16) of the Food Security Act of 1985 (16 U.S.C. 3801(a)(16))" and inserting "section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a))".

(2) Section 1257(c) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1), by striking "section 1201(4) of the Food Security Act of 1985 (16 U.S.C. 3801(4))" and inserting "section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a))"; and

(B) in paragraph (2), by striking "section 1201(6) of the Food Security Act of 1985 (16 U.S.C. 3801(6))" and inserting "section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a))".

#### SEC. 4. HIGHLY ERODIBLE LAND CONSERVATION.

(a) PROGRAM INELIGIBILITY.—Section 1211 of the Food Security Act of 1985 (16 U.S.C. 3811) is amended to read as follows:

##### "SEC. 1211. PROGRAM INELIGIBILITY.

"(a) IN GENERAL.—Except as provided in section 1212 and notwithstanding any other provision of law, any person who participates in an annual program under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.) after January 1, 1996, and who in any crop year after that date produces an agricultural commodity on a field on which highly erodible land is predominate, as determined by the Secretary, shall be—

"(1) in violation of this section; and

"(2) ineligible for loans or payments in an amount determined by the Secretary to be proportionate to the severity of the violation, taking into account the intent of the person and the frequency of the violations.

"(b) LOANS AND PAYMENTS.—If a person has been determined to have committed a violation during a crop year under subsection (a), the Secretary shall determine which, and the amount, of the following loans and payments for which the person shall be ineligible:

"(1) Any type of price support or payment made available under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.), the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), or any other Act.