

"U.S." Army Corps of Engineers in not a federal agency. Additionally, these two agencies just happen to report to the same boss/es; i.e., the President, Office of Management and Budget, the Counsel on Environmental Quality and the Vice President, who is a self-proclaimed advocate for the environment.

There are many things this government can no longer afford, and on the top of that list is bureaucratic redundancy. Leave it to the environmentalists to argue that we need two or more different federal agencies conducting the same task—looking over each other's shoulder—adding expense, confusion, delay and frustration. The bottom line on this issue and on the projects that were mentioned in the article is this: if a wetland is or is not permitted, it will be because of an official decision rendered by officials of the Clinton Administration. If people in the environmental community do not feel that the Clinton Administration has hired aggressive enough regulators, then they should take it up with the Clinton Administration and quit crying wolf about a common-sense provision to streamline government—a goal that the President has repeatedly endorsed.

As Vice-President Gore said on March 3, 1993: "It's time we cut the red tape and trimmed the bureaucracy, and it's time we took out of our vocabulary the words, 'Well, we've always done it that way.' . . . Help us get rid of the waste and inefficiency. Help us get rid of the unnecessary bureaucracy. Let us know when you spot a problem and tell us when you've got an idea." Don't bother telling the environmental activists and lobbyists when you've got an idea. Which conservative ever called such dug-in-defenders of the status quo liberals?

Sincerely,

CHRISTOPHER S. BOND.

[From the Wall Street Journal]

DEATH OF A FAMILY FARM

(By Jonathan Tolman)

"My mother lives in Cranston. There aren't any wetlands there." This was the incredulous statement of a co-worker when I tried to explain to her the plight of the Stamp farm. Bill Stamp, president of the Rhode Island Farm Bureau, and his wife Carol own one of the few farms left in the state. But due to federal regulations, their farm is slated to close at the first of the year.

The Stamps' troubles all started when the city of Cranston, R.I., rezoned their property from agricultural to industrial. For years, Cranston had been trying to get the Stamps to develop their property. To give them an added incentive, the city decided to raise their taxes to the industrial bracket in 1983.

In order to pay the higher taxes and keep their farming operation alive, the Stamps decided to develop part of the property at Cranston and move their farm to another part of the state. Their first encounter with wetlands happened three years later after they built a road on part of their property. The Stamps had already received permits from both the city and the state to proceed with the road when the Army Corps of Engineers decided to get involved.

Under Section 404 of the Clean Water Act, before anyone can deposit dredged or fill material into a "navigable water" of the U.S., they must get a permit from the Army Corps of Engineers. Over the years, with the legal prodding of environmentalists and a string of court cases, the Corps has expanded its definition of "navigable water" to include areas you wouldn't normally expect to see boats, namely wetlands.

Identifying wetlands is a difficult business. As the Corps pointed out in one of its recent press releases, "Wetlands don't have to have

visible water." Because of the tricky nature of wetland identification, in 1987 the Corps developed a 150-page manual filled with flow charts, appendices and guidelines for identifying wetlands.

Upon learning about the road, the Corps told the Stamps, "Since a Federal permit has not been issued for the work you are presently performing, you are hereby ordered to cease and desist from any further work within Corps jurisdiction." In order to continue, the Stamps had to apply for a permit for the road they had already built. The Corps denied the permit, and demanded that the road be removed. In addition, the Corps demanded that the Stamps also remove the water and sewer lines which had been placed on their property. The Corps refused to consider any additional permits until the Stamps complied with their demands.

Realizing the mess they were in, the Stamps hired an expert consultant to help them with their wetland problems. After surveying the area with the Corps' own manual, the consultant came to the conclusion that the area where the Stamps built their road wasn't even a wetland. Just to be sure, he brought in two other wetland and soil scientists to look at the area. In a letter to Mr. Stamp, one of the experts, a dean at the University of Rhode Island, wrote: "The delineation of wetlands on that portion of your property is obviously in error." The other consultant, a former New York State soil scientist, concluded, "Since the soils would not qualify as hydric soils, the area would not be a wetland under the U.S. Army Corps of Engineers jurisdiction."

Yet when the Corps was asked to reevaluate the site, it refused. The consultant, feeling that the Stamps had been wronged, wrote the Washington headquarters of the Corps and asked for a re-evaluation. The Acting Assistant Secretary of the Army, G. Edward Dickey, refused, "because the Corps is a decentralized agency, the divisions and districts are responsible for most permit decisions and other related regulatory decisions, including delineations." (Perhaps someone should tell the secretary of the Army that he is now in charge of a "decentralized agency.")

Now, after the Stamps have spent thousands to restore the "wetland," as well as having paid \$15,000 in fines, thousands of dollars in legal fees and a lot more in increased property taxes, the original permits from the state of Rhode Island have expired. Unless the state can come through with new permits in the next few weeks, the Stamps will be unable either to sell or develop their land, and their financiers will likely foreclose on their farm in January.

Some might argue that in order to protect our nation's fragile wetlands, some errors and unfortunate incidents will happen, but in the long run it will be worth the price. The problem with this reasoning is that the 404 program doesn't really protect wetlands. Although the unwitting can get caught in the regulatory morass of the 404 program, savvy developers are aware of myriad exemptions, such as a rule that if the Corps does not respond within 30 days of being notified about a construction project of less than 10 acres, the developer can proceed with the project.

Because of such loopholes it is not surprising that many environmentalists detest the 404 program almost as much as landowners. An article published last spring in Audubon magazine described the 404 program as "a hoax perpetrated and perpetuated by a wasteful, bloated bureaucracy that is efficient only at finding ways to shirk its obligations and that when beaten on by developers, spews wetland destruction permits as if it were a pinata." The environmentalists'

argument isn't just liberal griping. Recent data from a nationwide survey of wetlands, conducted by the U.S. Agriculture Department, suggests that even though wetland regulation has increased in the last decade, wetland losses to development have not slowed. Even more ironic is that despite the continued loss of wetlands to development, a host of non-regulatory, incentive-based programs have restored so many wetlands that this year the U.S. will gain more wetlands than it lost.

Recently, Sen. John Chafee (R. R.I.), chairman of the Environment and Public Works Committee, announced plans to consider the re-authorization of the Clean Water Act, including the 404 program. The senator has the power to eliminate a program that both landowners and environmentalists agree is a bloated, wasteful bureaucracy. Maybe he can do it before another farm in his home state goes belly up.

Mr. BOND. Mr. President, there are many ways in which we can reform this program. We can do so in a bipartisan way. We can do so in a way that cuts redtape and offers new incentives for wetlands protection. We can do so in a way that includes more respect for those who currently protect wetlands—private property owners. We can bring rationality to the program and turn an important program into a more effective and maybe—maybe—even a more popular program. In the process, we might even give the States a greater role. In my State, I know we have officials who understand and care just as much about wetlands as the folks who work here in Washington. I am hopeful that these issues can be addressed. In the meantime, this legislative provision is an important start toward removing duplicative redtape and an important test for the President to see if he is so wed to the regulatory status quo, that he would reject this common-sense reform.

#### THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, before discussing today's bad news about the Federal debt, how about "another quiz", as the British put it, with our pop quiz. Remember—one question, one answer.

The question: How many millions of dollars in a trillion? While you are thinking about it, bear in mind that it was the U.S. Congress that ran up the enormous Federal debt that is now about \$12 billion shy of \$5 trillion.

To be exact, as of the close of business Wednesday, January 3, the total Federal debt—down to the penny—stood at \$4,988,377,902,358.91. Another depressing figure means that on a per capita basis, every man, woman, and child in America owes \$18,935.97.

Mr. President, back to our quiz—how many million in a trillion? There are a million million in a trillion, which means that the Federal Government will shortly owe \$5 million million.

Now who's not in favor of balancing the Federal budget?

#### THE NEW YEAR

Mr. MOYNIHAN. Mr. President, the new year is now upon us, a Presidential

year, and already the competition is fierce among candidates for election to "Safire's New Political Dictionary: The Definitive Guide to the New Language of Politics." Accordingly, Mr. President, I have the honor to propose as first-in-the-field, a remarkable triple-hyphenated safe bet and sure winner from the new year's day editorial of the Washington Post entitled, appropriately enough, "The New Year." The editorial looked back to its predecessor 50 years ago, when the Post editorial writer of that age, contemplating the end of the Second World War, pondered whether the United Nations might now bring peace on Earth. This year's editorial comments, "That sort of world-federal-ish talk seems almost quaint today." Indeed, it does. Cord Meyer apart, there are not likely to be as many as half a dozen Americans alive who remember the World Federalists and their unflinching attachment to world government. That, of course, is just the role editorials play in our lives; to remind us of forgotten fancies and dashed dreams, lest we become too much impressed with the wonders of our own age.

Mr. President, I can report that Mr. Safire, interviewed by telephone in his posh Washington offices, readily concurred that "world-federal-ish" was definitely an early starter for this year's pol-lexigraphic race, adding that it might prove a watershed compound and go on to win a triple crown.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### ORDER FOR RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. COATS. Mr. President, may I inquire, what is the current status of the Senate?

The PRESIDING OFFICER. The time for morning business has expired.

Mr. COATS. Mr. President, I ask unanimous consent to extend the time of morning business for an additional 10 minutes, and that I be permitted to speak during that time.

The PRESIDING OFFICER. Is there objection?

Mr. SARBANES. Mr. President, reserving the right to object, could I suggest to my colleague that we extend it until 2 o'clock with Members allowed to speak therein for 10 minutes?

Mr. COATS. Mr. President, I have been informed that it is the leader's intention to go into recess subject to the call of the Chair immediately after my statement.

Mr. SARBANES. There is a Member on our side who actually has left his office and is on his way to the floor, and

we would like for him to have 10 minutes.

Mr. COATS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. COATS. Mr. President, I think we have an agreement here that we would extend the period of time for morning business by 20 minutes, with 10 minutes allocated to this Senator and 10 minutes allocated to the Senator from Arkansas, as given by the Senator from Maryland. If that is acceptable, I so ask unanimous consent.

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

Mr. COATS. And thereafter, Mr. President, I ask unanimous consent the Senate go into recess subject to the call of the Chair.

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

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

#### TIME TO BALANCE THE BUDGET

Mr. COATS. Mr. President, I have come for the first time to a disturbing conviction. That conviction is that I do not believe this budget process is going to succeed. I am beginning to believe that any amount of negotiating in the future is not going to result in agreement. I have come to this point because 44 days after the President said he agreed that we should enact a balanced budget, nothing has happened, and I am not sure that negotiating and bargaining is being done in any way that would fulfill that commitment.

The President, first of all, has not demonstrated any history of supporting or proposing a balanced budget and has yet to put a balanced budget as scored by the agency that he insisted it be scored by, on the table.

He has vetoed the only real budget that has come before his desk, and even now, today, January 4, as I said, 44 days after he agreed to enact a balanced budget, he has yet to propose a balanced budget. President Clinton has now proposed four budgets, none of which has produced a balance. The third so-called balanced budget he proposed was scored by the Congressional Budget Office as \$200 billion per year over balance as far as the eye could see, and then his fourth budget only managed to reduce the deficits to \$100 billion a year for every year ad infinitum.

Not one Member of the Senate, Republican or Democrat, has voted for the President's budget. In one vote, it was defeated 96 to nothing, in another 99 to nothing. So this is just not Republican rhetoric. This is a unanimous

rejection of the President's attempts to balance the budget by all Republicans and all Democrats in the Senate.

So for anybody who is under the illusion that the President has proposed a balanced budget with honest numbers, no one in this body, Republican or Democrat, agrees to that.

It seems to me, third, that at every stage of the negotiations the President has purposely tried to distract the Nation's attention from a balanced budget.

First, he talked about the number of years it would take to balance the budget and finally agreed, under duress I think, that 7 years would be the right number. But he was quoted as saying, and I quote again, "[As President] I would present a 5-year plan to balance the budget." He said that on Larry King in June.

And then in July, he said, "But I do not believe it is good policy, based on my understanding of this budget—which is pretty good, now—to do it in 7 years." That he said in a Rose Garden ceremony in July.

Then he said, well, I think we ought to "balance the budget in 10 years. It took decades to run up the deficit, it's going to take a decade to wipe it out." That was during his Presidential address to the Nation.

Then he used the scoring issue, that is, determining whether or not the numbers were real, as a distraction. He challenged us—and I sat over at the House of Representatives during his State of the Union Address—when he said, "Let's at least argue about the same set of numbers so the American people will think we are shooting straight with them." That was in his address before a joint session of Congress on administration goals in February 1993.

And so we accepted that challenge, and we said we will agree, Mr. President; let us use the agency that you want to use. That is the Congressional Budget Office. And then we argued back and forth, back and forth, and the President said, well, the Congressional Budget Office, I do not agree with them. I wish to use my own numbers.

For nearly 9 months he was able to distract the press, the Congress, and the American people from the real issue of balancing the budget by focusing the debate on how long it ought to take, on what numbers we ought to use. So he—I have to give him credit—he masterfully maneuvered and shifted the debate for month after month after month when the real issue was balancing the budget.

The President's attitude is particularly destructive because we are at a unique moment in recent history. We have the opportunity to pass a real balanced budget, interestingly enough, at a time when the differences between us are not that great. We have a chance to negotiate because really we are quite close. A number of Democrats have worked with Republicans in trying to put together an alternative budget