

of the Small Business Committee at 224-5175.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. STEVENS. Mr. President, I wish to announce that the Committee on Rules and Administration will meet to organize on Thursday, January 12, 1995, at 9:30 a.m., in SR-301. At this meeting the committee will adopt its rules of procedure and consider pending administrative business.

For further information regarding this meeting, please contact Christine Ciccone of the Rules Committee staff on 224-8921.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on January 9, 1995, at 3:30 p.m. on legislation on telecommunications reform.

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

NOTICE OF INTENTION TO AMEND THE STANDING RULES OF THE SENATE

Mr. WELLSTONE. Mr. President, pursuant to rule 5, paragraph 1 of the Standing Rules of the Senate, I hereby give written notice of my intention to amend the Standing Rules of the Senate; as follows:

At the appropriate place, insert the following:

**SEC. . RECORDED VOTES ON APPROPRIATIONS BILLS IN THE SENATE.**

Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

"9. An appropriations bill or appropriations bill conference report shall be voted on by the Senate by a roll call vote."

ADDITIONAL STATEMENTS

ALASKA WETLANDS CONSERVATION CREDIT PROCEDURES ACT

● Mr. STEVENS. Mr. President, on January 4 I introduced S. 49, the Alaska Wetlands Conservation Credit Procedures Act. The bill was not printed at that point in the RECORD so I now ask that it be printed.

The bill follows:

S. 49

*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 "Alaska Wetlands Conservation Credit Procedures Act of 1994".

**SEC. 2. FINDINGS.**

The Congress finds that—

(1) according to the U.S. Fish and Wildlife Service, approximately 170,200,000 acres of wetlands existed in Alaska in the 1780's and approximately 170,000,000 acres of wetlands

exist now, representing a loss rate of less than one-tenth of 1 percent through human and natural processes;

(2) according to the U.S. Fish and Wildlife more than 221 million acres of wetlands existed at the time of Colonial America in the area that is now the contiguous United States and 117 million of those acres, roughly 53 percent, have been filled, drained, or otherwise removed from wetland status;

(3) Alaska contains more wetlands than any other State, and more wetlands than all other States combined;

(4) eighty-eight percent of Alaska's wetlands are publicly owned, whereas only 26 percent of the wetlands in the contiguous 48 States are in public ownership;

(5) approximately 98 percent of all Alaskan communities, including 200 of 209 remote villages in Alaska, are located in or adjacent to wetlands;

(6) approximately 62 percent of all federally designated wilderness lands, 70 percent of all Federal park lands, and 90 percent of all Federal refuge lands are located in Alaska, thus providing protection to approximately 60 million acres of wetlands;

(7) more than 60 million acres of wetland are conserved in some form by land designations that restrict utilization or degradation of wetlands;

(8) 104 million acres of land were granted to the State of Alaska at statehood for purposes of economic development;

(9) approximately 43 million acres of land were granted to Native Alaskans through regional and village corporations and native allotments for their use and between 45 percent and 100 percent of each Native corporations' land is categorized as wetlands;

(10) development of basic community infrastructure in Alaska, where approximately 75 percent of the nonmountainous areas are wetlands, is often delayed sometimes prevented by the wetlands regulatory program for minimal identifiable environmental benefit;

(11) the 1899 Rivers and Harbors Act formerly regulated disposition of dredge spoils in navigable waters, which did not include wetlands, to keep navigable waters free of impairments;

(12) the 1972 Clean Water Act formed the basis for a broad expansion of Federal jurisdiction over wetlands by modifying the definition of "navigable waters" to include all "waters in the United States";

(13) in 1975, a U.S. District Court ordered the Corps to publish revised regulations concerning the scope of the section 404 program, regulations that expanded the scope of the program to include the discharge of dredged and fill material into wetlands;

(14) the wetlands regulatory program was expanded yet again by regulatory action to include isolated wetlands, those that are not adjacent to navigable waters, and such an expansion formed the basis for burdensome intrusions on the property rights of Alaskans, Alaskan Native Corporations, the State of Alaska, and property owners in Alaska;

(15) expansion of the wetlands regulatory program in this manner is beyond what the Congress intended when it passed the Clean Water Act and the expansion has placed increasing and unnecessary economic and administrative burdens on private property owners, small businesses, city governments, State governments, farmers, ranchers, and other for negligible environmental benefit associated with wetland permits;

(16) for Alaska, a State with substantial conserved wetlands and less than 1 percent private, noncorporate land ownership, the burdens of the current wetlands regulatory program unnecessarily inhibit reasonable

community growth and environmentally benign, sensitive resource development;

(17) Alaska villages, municipalities, boroughs, city governments, and Native organizations are experiencing increasing frustration with the constraints of the wetlands regulatory program because it interferes with the location of community centers, airports, sanitation systems, roads, schools, industrial areas, and other critical community infrastructure;

(18) policies that purport to achieve "no net loss" of wetlands reflect a Federal response to the 53 percent loss of the wetlands base in the South 48, a calculation that excludes Alaska wetlands;

(19) total wetlands loss in Alaska is less than one-tenth of 1 percent of the total wetlands acreage in Alaska;

(20) individual landowners in Alaska have experienced devaluations of up to 97 percent of their property value due to wetlands regulations and the tax base of many communities has diminished by those regulations.

**SEC. 3 AMENDMENT TO THE FEDERAL WATER POLLUTION CONTROL ACT.**

The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended—

(a) in section 101(a) (33 U.S.C. 1251(a)) by—

(1) striking "and" at the end of paragraph (6);

(2) striking the period at the end of paragraph (7) and inserting in lieu thereof "and"; and

(3) adding the following new paragraphs:

"(8) it is the national policy to—(A) achieve a balance between wetlands conservation and adverse economic impacts on local, regional, and private economic interests and (B) to eliminate the regulatory taking of private property by the regulatory program authorized under section 404;

"(9) it is the national policy to encourage localized wetlands planning, without mandating it and by providing funds to encourage it, and such planning shall allow local political subdivisions and local governments to apply differential standards for the issuance of wetlands permits based on factors that include the relative amount of conserved wetlands habitat and the wetlands loss rate in the State in which such political subdivision or local government is located; and

"(10) it is the national policy that compensatory mitigation on wetlands or potential wetlands located outside the boundaries of a State shall not be required, requested, or otherwise utilized to offset impacts to wetlands inside that State."

(b) in section 404(b) (33 U.S.C. 1344(b)) by inserting immediately after "anchorage" the following: " provided however, that the guidelines adopted pursuant to clause (1) for a State with substantial conserved wetlands areas—

"(A) shall not include requirements or standards for mitigation to compensate for wetlands loss and adverse impacts to wetlands;

"(B) may include requirements or standards for minimization of adverse impacts to wetlands; and

"(C) may include standards or requirements for avoidance of impacts only if the permit applicant is not required to establish that upland alternative sites do not exist."

(c) in section 404(e) (33 U.S.C. 1344(e)) by inserting at the end the following new paragraph—

"(3) Notwithstanding the requirements of paragraphs (1) and (2), at the request of a State with substantial conserved wetlands areas, the Secretary shall issue general permits for such States and the requirements under which such general permits are issued