

Press Release

Committee Republicans Respond to Reintroduction of Massive Expansion of Clean Water Act

April 21, 2010

Washington, DC – The Republican leaders of the Transportation and Infrastructure Committee, John L. Mica (R-FL), and the Water Resources and Environment Subcommittee, John Boozman (R-AR), released the following statement upon today’s introduction of Committee Chairman Oberstar’s controversial legislation to dramatically expand federal jurisdiction under the Clean Water Act:

“This legislation is the latest version of the same controversial proposals we have seen before to federally regulate virtually every wet or potentially wet area in the United States,” Mica said.

“This massive federal jurisdiction grab will have significant negative repercussions on the nation’s struggling economy. The added confusion, delays, and endless litigation created by this bill will heap new costs on American agriculture, manufacturing, housing and other businesses, and our already grim unemployment picture will worsen.

Mica continued, “The Clean Water Act has successfully improved the quality of the nation’s waters, and we must ensure that the Act continues to work effectively. However, providing limitless federal jurisdiction over every water is not the answer. The Democrat majority does not seem to recognize that broad and heavy-handed federal regulation is not the best way to achieve the nation’s environmental goals. This bill does not recognize that there are limits to federal jurisdiction and that there is a role for states and local governments to play.”

“Under this bill, existing state, local and private rights will be superseded by the vast authority of federal regulators,” said Boozman. This legislation becomes law, it is hard to imagine a state or local land use decision that will not be subject to review by a federal bureaucrat.”

“There is one change in this bill I can agree with,” Boozman added. “At least the name of the bill no longer mischaracterizes the legislation as a simple restoration of the Clean Water Act’s jurisdiction. Perhaps the bill’s supporters finally acknowledge this proposal for what it is: an undeniable and considerable expansion of federal authority.”

The bill introduced today is dubbed the “America’s commitment to Clean Water Act” (H.R. 5088). In the previous Congress, the bill was named the “Clean Water Restoration Act,” and supporters portrayed the bill as a restoration of the Act’s jurisdiction. However, that bill was not considered by the committee or the House of Representatives based on significant bipartisan opposition highlighting state, local government and business community concerns with the expansion of federal power under the proposed bill.

“We look forward to the hearings on this bill that the Chairman has promised,” Mica concluded.