



July 20, 2010

To: Chairman James Oberstar, Chairman Collin Peterson, Chairwoman Nydia Velazquez and Chairman Nick Rahall

CC: All Members: House Transportation and Infrastructure, Agriculture, Small Business, and Natural Resources Committee Committees

RE: H.R. 5088, "America's Commitment Clean Water Restoration Act"

Dear Chairman,

On behalf of the Property Rights Alliance, I am writing to request hearings concerning the "America's Commitment to Clean Water Act" (H.R. 5088). By removing the word "navigable" from the Clean Water Act's definition, H.R. 5088 would result in an unprecedented expansion of the regulatory authority of the federal government. **Therefore, it is imperative that Congress hold proceedings to debate the effects of the legislation on rural communities nationwide.**

The America's Commitment to Clean Water Act, sponsored by Rep. James Oberstar (D-MN), seeks to remove the word "navigable" from the Clean Water Act's definition. While supporters of H.R. 5088 contend the intent is to end jurisdictional confusion, in actuality, H.R. 5088 gives the federal government the power to regulate all interstate and intrastate waters, from small ponds to irrigation canals. PRA is concerned that H.R. 5088 exceeds the original objective of the Clean Water Act by mandating all waters be placed under the regulatory control of the federal government.

The House has set a goal to publicly consider the bill for September 2010. It is essential that each committee be allotted enough time to hold proceedings to gather adequate input concerning the bill's application. The American people deserve the transparency promised by this Administration.

Unfortunately, as Reps. Frank Lucas (R-OK), Sam Graves (R-MO) and Doc Hastings (R-WA) have noted in an earlier letter, no public hearings have been scheduled to debate H.R. 5088 during the 2nd session of the 111th Congress.

Property Rights Alliance urges each chairman to allow hearings for public discussion and debate on H.R. 5088. At a time of increased economic uncertainty, public proceedings are necessary to assess the bill's affects on the economies of our local communities. The public should always have a say when proposed legislation threatens to seize land and restrict its use.

Sincerely,

Kelsey Zahourek

Executive Director