



March 30, 2011

The Honorable Adrian Smith
503 Cannon Office Building
Washington, D.C. 20515

Dear Congressman Smith:

On behalf of the over 53,000 members of the Nebraska Farm Bureau Federation, I would urge you to support H.R. 872, the *Reducing Regulatory Burdens Act of 2011*. This vital piece of legislation would prevent farmers, ranchers, businesses and countless others from being subject to a complicated and cumbersome Clean Water Act permitting; a program never designed to cover common pesticide applications.

For most of the past four decades, water quality concerns related to pesticide applications have been addressed within the registration process under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) rather than through a Clean Water Act permitting program. Nothing in H.R. 872 would weaken the Clean Water Act, nor would the bill diminish in any way EPA's authority to strictly regulate pesticides under FIFRA. The sole purpose of H.R. 872 is to prevent overlaying the additional requirement of obtaining a National Pollutant Discharge Elimination System (NPDES) permit for the same activity. The permit's complex compliance requirements will impose new burdens on thousands of small businesses, farms, communities, counties and state and federal agencies legally responsible for pest control, and expose them to legal jeopardy through citizen suits over paperwork violations.

In addition to agricultural producers, H.R. 872 is supported by a broad coalition of growers, retailers and state regulators. The bill has broad, bipartisan support in the House, including sponsorship by the last two chairmen of the House Agriculture Committee. It was approved unanimously by the House Agriculture Committee and by an overwhelming vote in the House Committee on Transportation and Infrastructure, and it deserves broad support on the House floor.

The recent decision of the court to grant a six-month extension, from April 9 to October 31, 2011, to comply with permit requirements was welcome news. However, it does not change the urgency to pass H.R. 872 and fix the underlying problem.

Again we urge you to vote in favor of H.R. 872 to provide a permanent solution to the regulatory overkill of requiring unnecessary permitting of pesticide applications. Thank you for your consideration of our position and the work you continue to do on behalf of Nebraska agriculture.

Sincerely,

A handwritten signature in black ink that reads 'Keith R. Olsen'.

Keith R. Olsen
President