

**April 11, 2011**

The AMCA Legislative and Regulatory Chair, Dave Brown, and our legislative counsel, Ed Ruckert, have been working diligently behind the scenes with a coalition of stakeholders in the agricultural sectors to explore means by which a legislative fix to the Clean Water Act problem can be obtained. This is where we stand at present.

- 1) It should be noted and understood that getting a piece of legislation that deals with pesticides, such as HR 872, placed on and adopted on the House suspension calendar is a tremendous feat in and of itself given historical legislative priorities.
- 2) As we move to the Senate, we will need to address issues that were brought up in the House Debates, particularly those mentioned by Representative Bishop regarding U.S. Geological Survey reports on pesticides in our nation's waters. CropLife America, a member of the coalition, has indicated they will take the lead on this. For consistency of message we will probably consider using their document modified with our perspective.
- 3) Senator Pat Roberts (R-KS) introduced the Senate Bill S 718, which amends FIFRA so that no further permit is required to legally apply a duly registered pesticide, as a place holder. A copy of the Bill can be found at <http://thomas.loc.gov/cgi-bin/query/z?c112:S.718:>. It is generally understood by legal authorities that the language in this bill alone may not fully address all the problems it is meant to solve. Nevertheless, it should initiate some much-needed discussion in the Senate. In any case, AMCA should support the bill at this time, while acknowledging that it may not fully address our concerns and may require amending as other possibilities come into play.
- 4) There is some thought that the concern with addressing this issue within the Senate Environment and Public Works (EPW) Committee, may not necessarily

be attributable to Chairwoman Senator Boxer, but rather with the Committee staff. It is thus important to prompt Democratic Senators, particularly those on the EPW Committee, to reach out to her and garner her support for a legislative fix.

The Democratic Senators on EPW are:

Barbara Boxer (Chair), California

Max Baucus, Montana

Thomas Carper, Delaware

Frank Lautenberg, New Jersey

Benjamin Cardin, Maryland

Bernard Sanders, Vermont

Sheldon Whitehouse, Rhode Island

Tom Udall, New Mexico

Jeff Merkley, Oregon

Kirsten Gillibrand, New York

If any of these Senators represent your state, please contact them and ask that they speak with Senator Boxer about the critical nature of this bill and the need for it to be afforded due consideration by her committee.

The Republican Minority members are:

James Inhofe, Ranking Member, Oklahoma

David Vitter, Louisiana

John Barrasso, Wyoming

Jeff Sessions, Alabama

Mike Crapo, Idaho

Lamar Alexander, Tennessee

Mike Johanns, Nebraska

John Boozman, Arkansas

- 5) In addition, we need to renew efforts to getting the affected Governor offices involved. Please continue to contact their offices so that they might contact requisite members of the Senate committees with their concerns. In addition the National Association of States Departments of Agriculture is soliciting Governors to sign a letter that will outline everyone's concerns for more effect. AMCA will post the letter once it becomes available.
  
- 6) In sum, our talking points for congressional legislators and staff at this time are:
  - a. Please support S. 718 - while recognizing that it may need some adjustment to fully address the issue.
  - b. Continue to get Governors to prompt their Senators to move this issue forward.
  - c. Continue to address Senators directly on this issue, especially the Senators on EPW.
  - d. Be prepared to be flexible...this process will change, and we need to be able to move with it.