I write to provide a different perspective to assertions made by Senator Barbara Boxer in her article "Your Turn: No need to change federal law to protect against West Nile" published on 11 February.

Senator Boxer suggests that no change in Federal law is necessary to protect public health. In reality, federal law *was* changed by a court decision that occurred over 3 years ago, and altered congressional intent and EPA regulations that had been in place since the early 1970's.

HR 872, the *"Reducing Regulatory Burdens Act of 2011"*, was passed in the US House of Representatives with overwhelming bipartisan support. It also passed the Senate Agriculture committee with a favorable markup by a bipartisan voice vote. Furthermore, a significant majority of the Senate is poised to support its passage if brought to a floor vote. It has been endorsed by the Association of State and Interstate Water Pollution Control Administrators, the Association of American Pesticide Control Officials, the National Association of State Departments of Agriculture and the National Association of State Foresters. Clearly, HR 872 has broad support for a reason It's not being allowed to date to be brought to the full Senate floor for discussion and possible full Senate vote is most perplexing, and seemingly counter-productive to good government.

HR 872 avoids unnecessary and costly duplicative regulation while preserving the comprehensive environmental oversight provided by the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) as a precondition of pesticide use. Integrated Mosquito Management methods used by vector control districts and mandated by the new Clean Water Act (CWA) requirements long predate the CWA itself. The addition of Clean Water Act requirements will not provide substantive protection to the waters of the United States beyond that already in place through FIFRA. Indeed, the pollution incident triggering some thinking that CWA-based regulation should also be imposed did not involve mosquito control and was a blatant violation of FIFRA, subject to substantial penalties. It wouldn't have been prevented by the CWA. The only tangible result of new CWA requirements for vector control will be increased costs and burdens to strained state, county and municipal budgets – not cleaner water.

It is certainly true that jurisdictions will be allowed to spray if determined by competent authority - as in the past. It will merely cost the taxpayers more to do so, while creating undue obstacles for continued judicious pesticide use, detracting from the many public health and socio-economic benefits achieved through such. Granted, HR 872 also allows for emergency exemption for disease control. However, the primary objective of vector control is prevention of disease – and the new costs and burdens attendant to the CWA make this critical mission that much more expensive in many ways, as resources funding control activities are diverted to comply with additional federal permit requirements. HR 872 is designed to eliminate this needless burden while maintaining the environmental protections already in place. It certainly does not weaken environmental protections already afforded through FIFRA or until very recently the CWA. Passage of H.R. 872 will restore the reasonable and practicable regulatory roles played by both FIFRA and the CWA, which EPA's implementation of their new NPDES permit threw far out of kilter only 3-1/2 months ago, and will then also make these statutes conform with the original intent of Congress that has served very nicely for >40 years.

The vector control profession shares Senator Boxer's concern for the health of our citizens and the environment. The mission statements of every vector control district in the country reflect protection of public and environmental health as a core value. Our record over the past century in manifesting this crucial concept is quite clear.

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