

NEWS RELEASE

FOR IMMEDIATE RELEASE

CONTACT:

MARK SQUILLACE – UIL-492-1287

Mark.Squillace@colorado.edu

HEIDI HORTEN – RTEN CEONAL

Heidi.Horten@colorado.edu

Mark Squillace Invited to Testify before Congress

Mark Squillace, Professor of Law and Director of the Natural Resources Law Center of the University of Colorado at Boulder Law School, has been invited to testify before the U.S. House of Representatives Committee on Transportation and Infrastructure regarding “*The Clean Water Restoration Act of 2007*.” Squillace is scheduled to testify on December 6, 2007 at 10 a.m.

Squillace will provide testimony on

[REDACTED]

The invitation to Squillace was a result of his article “ ‘From Navigable Waters’ to ‘Constitutional Waters’: The Future of Federal Wetlands Regulation,” which was published in the *University of Michigan Journal of Law Reform* (2007-2007, vol. 40, no.4 (available at <http://ssrn.com/abstract=944814>).

In that article, Squillace addressed the decision, United States v. Rapanos, 126 S.Ct. 2208 (2006) in which a majority of the Court found that the phrase “navigable waters” applied only to those waters that met the traditional test for navigability. Squillace has maintained that the time is long overdue for Congress to amend the Clean Water Act to clarify the scope of federal authority over wetlands. Squillace recommends that Congress should affirm its original intent to establish a comprehensive federal program for wetlands regulation under the Clean Water Act — which, according to Squillace, can best be accomplished by abandoning the use of the phrase “navigable waters” and substituting a new conceptual phrase “constitutional waters.” Such a change in approach would realize Congress' intent to encompass all waters that are subject to federal jurisdiction under the Constitution.