

109TH CONGRESS
1ST SESSION

H. R. 135

IN THE SENATE OF THE UNITED STATES

APRIL 13, 2005

Received; read twice and referred to the Committee on Environment and
Public Works

AN ACT

To establish the “Twenty-First Century Water Commission”
to study and develop recommendations for a comprehensive
water strategy to address future water needs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Twenty-First Century
3 Water Commission Act of 2005”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) the Nation’s water resources will be under
7 increasing stress and pressure in the coming dec-
8 ades;

9 (2) a thorough assessment of technological and
10 economic advances that can be employed to increase
11 water supplies or otherwise meet water needs in
12 every region of the country is important and long
13 overdue; and

14 (3) a comprehensive strategy to increase water
15 availability and ensure safe, adequate, reliable, and
16 sustainable water supplies is vital to the economic
17 and environmental future of the Nation.

18 **SEC. 3. ESTABLISHMENT.**

19 There is established a commission to be known as the
20 “Twenty-First Century Water Commission” (in this Act
21 referred to as the “Commission”).

22 **SEC. 4. DUTIES.**

23 The duties of the Commission shall be to—

24 (1) use existing water assessments and conduct
25 such additional assessments as may be necessary to
26 project future water supply and demand;

1 (2) study current water management programs
2 of Federal, Interstate, State, and local agencies, and
3 private sector entities directed at increasing water
4 supplies and improving the availability, reliability,
5 and quality of freshwater resources; and

6 (3) consult with representatives of such agen-
7 cies and entities to develop recommendations con-
8 sistent with laws, treaties, decrees, and interstate
9 compacts for a comprehensive water strategy
10 which—

11 (A) respects the primary role of States in
12 adjudicating, administering, and regulating
13 water rights and water uses;

14 (B) identifies incentives intended to ensure
15 an adequate and dependable supply of water to
16 meet the needs of the United States for the
17 next 50 years;

18 (C) suggests strategies that avoid in-
19 creased mandates on State and local govern-
20 ments;

21 (D) eliminates duplication and conflict
22 among Federal governmental programs;

23 (E) considers all available technologies and
24 other methods to optimize water supply reli-

1 ability, availability, and quality, while safe-
2 guarding the environment;

3 (F) recommends means of capturing excess
4 water and flood water for conservation and use
5 in the event of a drought;

6 (G) suggests financing options for com-
7 prehensive water management projects and for
8 appropriate public works projects;

9 (H) suggests strategies to conserve existing
10 water supplies, including recommendations for
11 repairing aging infrastructure; and

12 (I) includes other objectives related to the
13 effective management of the water supply to en-
14 sure reliability, availability, and quality, which
15 the Commission shall consider appropriate.

16 **SEC. 5. MEMBERSHIP.**

17 (a) NUMBER AND APPOINTMENT.—The Commission
18 shall be composed of 9 members who shall be appointed
19 not later than 90 days after the date of enactment of this
20 Act. Member shall be appointed as follows:

21 (1) 5 members appointed by the President;

22 (2) 2 members appointed by the Speaker of the
23 House of Representatives, in consultation with the
24 Minority Leader of the House of Representatives;
25 and

1 (3) 2 members appointed by the Majority Lead-
2 er of the Senate, in consultation with the Minority
3 Leader of the Senate.

4 (b) QUALIFICATIONS.—Members shall be appointed
5 to the Commission from among individuals who—

6 (1) are of recognized standing and distinction
7 in water policy issues; and

8 (2) while serving on the Commission, do not
9 hold any other position as an officer or employee of
10 the United States, except as a retired officer or re-
11 tired civilian employee of the United States.

12 (c) OTHER CONSIDERATIONS.—In appointing mem-
13 bers of the Commission, every effort shall be made to en-
14 sure that the members represent a broad cross section of
15 regional and geographical perspectives in the United
16 States.

17 (d) CHAIRPERSON.—The Chairperson of the Com-
18 mission shall be designated by the President.

19 (e) TERMS.—Members of the Commission shall be
20 appointed not later than 90 days after the date of enact-
21 ment of this Act and shall serve for the life of the Commis-
22 sion.

23 (f) VACANCIES.—A vacancy on the Commission shall
24 not affect its operation, and shall be filled in the same

1 manner as the original appointment provided under sub-
2 section (a).

3 (g) COMPENSATION AND TRAVEL EXPENSES.—Mem-
4 bers of the Commission shall serve without compensation,
5 except members shall receive travel expenses, including per
6 diem in lieu of subsistence, in accordance with applicable
7 provisions under subchapter I of chapter 57, United
8 States Code.

9 **SEC. 6. MEETINGS AND QUORUM.**

10 (a) MEETINGS.—The Commission shall hold its first
11 meeting not later than 60 days after the date on which
12 all members have been appointed under section 5, and
13 shall hold additional meetings at the call of the Chair-
14 person or a majority of its members.

15 (b) QUORUM.—A majority of the members of the
16 Commission shall constitute a quorum for the transaction
17 of business.

18 **SEC. 7. DIRECTOR AND STAFF.**

19 A Director shall be appointed by the Speaker of the
20 House of Representatives and the Majority Leader of the
21 Senate, in consultation with the Minority Leader and
22 chairmen of the Resources and Transportation and Infra-
23 structure Committees of the House of Representatives,
24 and the Minority Leader and chairmen of the Energy and
25 Natural Resources and Environment and Public Works

1 Committees of the Senate. The Director and any staff re-
2 porting to the Director shall be paid a rate of pay not
3 to exceed the maximum rate of basic pay for GS-15 of
4 the General Schedule.

5 **SEC. 8. POWERS AND PROCEEDINGS OF THE COMMISSION.**

6 (a) HEARINGS.—The Commission shall hold no fewer
7 than 10 hearings during the life of the Commission. Hear-
8 ings may be held in conjunction with meetings of the Com-
9 mission. The Commission may take such testimony and
10 receive such evidence as the Commission considers appro-
11 priate to carry out this Act. At least 1 hearing shall be
12 held in Washington, D.C., for the purpose of taking testi-
13 mony of representatives of Federal agencies, national or-
14 ganizations, and Members of Congress. Other hearings
15 shall be scheduled in distinct geographical regions of the
16 United States and should seek to ensure testimony from
17 individuals with a diversity of experiences, including those
18 who work on water issues at all levels of government and
19 in the private sector.

20 (b) INFORMATION AND SUPPORT FROM FEDERAL
21 AGENCIES.—Upon request of the Commission, any Fed-
22 eral agency shall—

23 (1) provide to the Commission, within 30 days
24 of its request, such information as the Commission

1 considers necessary to carry out the provisions of
2 this Act; and

3 (2) detail to temporary duty with the Commis-
4 sion on a reimbursable basis such personnel as the
5 Commission considers necessary to carry out the
6 provisions of this Act, in accordance with section
7 5(b)(5), Appendix, title 5, United States Code.

8 **SEC. 9. REPORTS.**

9 (a) INTERIM REPORTS.—Not later than 6 months
10 after the date of the first meeting of the Commission, and
11 every 6 months thereafter, the Commission shall transmit
12 an interim report containing a detailed summary of its
13 progress, including meetings and hearings conducted in
14 the interim period, to—

15 (1) the President;

16 (2) the Committee on Resources and the Com-
17 mittee on Transportation and Infrastructure of the
18 House of Representatives; and

19 (3) the Committee on Energy and Natural Re-
20 sources and the Committee on the Environment and
21 Public Works of the Senate.

22 (b) FINAL REPORT.—As soon as practicable, but not
23 later than 3 years after the date of the first meeting of
24 the Commission, the Commission shall transmit a final re-
25 port containing a detailed statement of the findings and

1 conclusions of the Commission, and recommendations for
2 legislation and other policies to implement such findings
3 and conclusions, to—

4 (1) the President;

5 (2) the Committee on Resources and the Com-
6 mittee on Transportation and Infrastructure of the
7 House of Representatives; and

8 (3) the Committee on Energy and Natural Re-
9 sources and the Committee on the Environment and
10 Public Works of the Senate.

11 **SEC. 10. TERMINATION.**

12 The Commission shall terminate not later than 30
13 days after the date on which the Commission transmits
14 a final report under section 9(b).

15 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated \$9,000,000
17 to carry out this Act.

Passed the House of Representatives April 12, 2005.

Attest:

JEFF TRANDAHL,

Clerk.