

Union Calendar No. 429

110TH CONGRESS
2D SESSION

H. R. 135

[Report No. 110-504, Parts I and II]

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Mr. LINDER (for himself, Mr. BUTTERFIELD, Ms. BORDALLO, Mr. NORWOOD, Mr. GARY G. MILLER of California, and Mr. TERRY) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

DECEMBER 19, 2007

Reported from the Committee on Natural Resources

DECEMBER 19, 2007

Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than January 15, 2008

JANUARY 15, 2008

Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than February 29, 2008

FEBRUARY 29, 2008

Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than April 30, 2008

APRIL 30, 2008

Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than May 22, 2008

MAY 22, 2008

Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than June 6, 2008

JUNE 4, 2008

Additional sponsors: Mr. GOODLATTE, Mr. SESSIONS, Mrs. NAPOLITANO, Mr. PRICE of Georgia, Mr. GINGREY, Mr. KUHL of New York, Mrs. MUSGRAVE, Mr. MARCHANT, Mr. WELDON of Florida, Mr. COSTA, Mr. HASTINGS of Florida, Mr. SHADEGG, Mr. DAVIS of Illinois, Mr. STUPAK, Ms. LORETTA SANCHEZ of California, Mr. SCOTT of Georgia, Mr. KINGSTON, Mr. MARSHALL, Mr. BISHOP of Georgia, Mr. DEAL of Georgia, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, Mr. HINOJOSA, and Mr. CALVERT

JUNE 4, 2008

Reported from the Committee on Transportation and Infrastructure with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on January 4, 2007]

A BILL

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,*

3 **SECTION 1. 21ST CENTURY WATER COMMISSION.**

4 *(a) ESTABLISHMENT.—There is established a commis-
5 sion to be known as the 21st Century Water Commission
6 (in this section referred to as the “Commission”).*

7 *(b) DUTIES.—The duties of the Commission shall be
8 to—*

9 *(1) use existing water studies and assessments
10 and conduct such additional studies and assessments*

1 *as may be necessary, including studies and assessments on climate change impacts, to—*

3 *(A) project future water supply needs and demand;*

5 *(B) develop national and regional assessments on flood risk and water availability; and*

7 *(C) develop national and regional trends related to water quality;*

9 *(2) study current water management programs of Federal, interstate, State, and local agencies and private sector entities directed at increasing water supplies, managing flood risk, and improving the availability, reliability, and quality of water resources; and*

15 *(3) develop recommendations, in consultation with representatives of such agencies and entities, for a comprehensive water strategy that—*

18 *(A) identifies incentives to ensure an adequate and dependable supply of water to meet the needs of the United States for the next 50 years;*

22 *(B) considers all available technologies and other methods to optimize water supply reliability, availability, and quality, while safeguarding and enhancing the environment;*

(C) suggests financing options, incentives, and opportunities for development of comprehensive watershed management plans, regional watershed planning, holistically designed water resources projects, and increased use of non-structural elements (including green infrastructure and low impact development techniques);

(E) suggests options to promote the use of, and reduce biases against, nonstructural elements (including green infrastructure and low impact development techniques) when managing stormwater, including features that—

23 (ii) utilize natural design techniques
24 that infiltrate, filter, store, evaporate, and
25 detain water close to its source; or

3 (F) encourages the avoidance and mini-
4 mization of adverse impacts to natural systems,
5 and where possible, the restoration of natural
6 systems; and

(G) addresses other objectives related to a comprehensive water strategy which the Commission shall consider appropriate.

10 (c) DEVELOPMENT OF A COMPREHENSIVE WATER
11 STRATEGY.—

23 (B) consider and evaluate the impacts of
24 climate change;

19 (C) identify duplication among Federal
20 governmental programs, and make recommenda-
21 tions to improve coordination among Federal,
22 interstate, State, and local agencies; and

25 (d) *MEMBERSHIP.—*

5 (A) 3 members appointed by the President.

(B) 3 members appointed by the Speaker of the House of Representatives from a list of 6 individuals—

9 (i) 3 nominated for that appointment
10 by the chairman of the Committee on
11 Transportation and Infrastructure of the
12 House of Representatives; and

(C) 3 members appointed by the majority leader of the Senate from a list of 6 individuals—

(ii) 3 nominated for that appointment

by the chairman of the Committee on Energy and Natural Resources of the Senate.

(D) 1 member appointed by the minority

*leader of the House of Representatives from a list
of 2 individuals—*

(i) 1 nominated for that appointment

by the ranking member of the Committee on Transportation and Infrastructure of the

House of Representatives; and

(ii) 1 nominated for that appointment

by the ranking member of the Committee on Natural Resources of the House of Representatives.

(E) 1 member appointed by the minority

leader of the Senate from a list of 2 individuals—

(i) 1 nominated for that appointment

by the ranking member of the Committee on Environment and Public Works of the Senate, and

(ii) It is recommended for that association that

by the ranking member of the Committee on Energy and Natural Resources of the Sen-

1 (2) *QUALIFICATIONS.*—

1 (6) *COMPENSATION AND TRAVEL EXPENSES.*—

2 *Members of the Commission shall serve without compensation; except that members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57, United States Code.*

7 (7) *MEETINGS AND QUORUM.*—

8 (1) *MEETINGS.*—*The Commission shall hold its first meeting not later than 60 days after the date on which all original members are appointed under subsection (d) and shall hold additional meetings at the call of the Chairperson or a majority of its members.*

13 (2) *QUORUM.*—*A majority of the members of the Commission shall constitute a quorum for the transaction of business.*

16 (7) *STAFFING.*—*The Chairperson of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an Executive Director and such other additional personnel as may be necessary for the Commission to perform its duties. The Executive Director shall be compensated at a rate not to exceed the annual rate of basic pay for GS-15 of the General Schedule. The employment and termination of an Executive Director shall be subject to confirmation by a majority of the members of the Commission.*

1 (g) HEARINGS.—

1 *issues at all levels of government and in the private*
2 *sector.*

3 *(h) INFORMATION AND SUPPORT FROM FEDERAL*
4 *AGENCIES.—Upon request of the Commission, the head of*
5 *a Federal department or agency shall—*

6 *(1) provide to the Commission, within 30 days*
7 *of the request, such information as the Commission*
8 *considers necessary to carry out this section; and*

9 *(2) detail to temporary duty with the Commis-*
10 *sion on a reimbursable basis such personnel as the*
11 *Commission considers necessary to carry out this sec-*
12 *tion.*

13 *(i) INTERIM REPORTS.—Not later than one year after*
14 *the date of the first meeting of the Commission, and every*
15 *year thereafter, the Commission shall submit an interim re-*
16 *port containing a detailed summary of its progress, includ-*
17 *ing meetings held and hearings conducted before the date*
18 *of the report, to—*

19 *(1) the President; and*
20 *(2) Congress.*

21 *(j) FINAL REPORT.—As soon as practicable, but not*
22 *later than 5 years after the date of the first meeting of the*
23 *Commission, the Commission shall submit a final report*
24 *containing a detailed statement of the findings and conclu-*
25 *sions of the Commission and recommendations for legisla-*

1 *tion and other policies to implement such findings and con-*
2 *clusions to—*

3 *(1) the President;*

4 *(2) the Committee on Natural Resources and the*
5 *Committee on Transportation and Infrastructure of*
6 *the House of Representatives; and*

7 *(3) the Committee on Energy and Natural Re-*
8 *sources and the Committee on Environment and Pub-*
9 *lic Works of the Senate.*

10 *(k) TERMINATION.—The Commission shall terminate*
11 *not later than 30 days after the date on which the Commis-*
12 *sion transmits a final report under subsection (j).*

13 *(l) APPLICABILITY OF FEDERAL ADVISORY COM-*
14 *MITTEE ACT.—The Federal Advisory Committee Act (5*
15 *U.S.C. App. 1 et seq.) shall not apply to the Commission.*

16 *(m) AUTHORIZATION OF APPROPRIATIONS.—There is*
17 *authorized to be appropriated \$12,000,000 to carry out this*
18 *section.*

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