

Resolution #5 – Adopted in 2009, Charleston, WV

Sponsor: Brent Dykes on behalf of the Georgia Soil and Water Conservation Commission

Title: Twenty-First Century Water Commission

Subject: Resolution to encourage passage of H.R. 135, The Twenty-First Century Water Commission: A comprehensive water strategy to address future water needs of the United States.

Action requested to be taken by NASCA:

Support passage of this bill because *it does not* create a new level of bureaucracy, rather an investigative and potentially government shrinking/overlap eliminating commission that in the long run will benefit US water policy. Because there is a 3-year limit on the commission's existence, do not foresee the evolution of another agency, but the potential for the elimination of redundancy could be a possible positive outcome. NASCA should adopt policy to push for passage of this bill.

Supporting material and/or documentation: See below.

TwentyFirst Century Water Commission
H.R. 135 (111th Congress) Linder (R, GA)

H.R. 135—To establish the Twenty-First Century Water Commission

Latest Major Action: 2/4/2009 Referred to House subcommittee.

Status: Referred to the Subcommittee on Water and Power.

Major Impacts:

H.R 135 establishes new commission that uses existing and conducts new water assessments to project future water supply and demand. The Commission with study current water programs at all levels and consult with representatives of all agencies to develop recommendations on water policy. These newly developed policies will respect the roles of States with regards to water rights and useage while identifying incentives to ensure an adequate and dependable supply of water to meet US needs for 50 years. In addition this commission should aim to reduce duplication and conflict between Federal programs and suggest strategies that avoid increased mandates on State and

local governments. The commission will consider new technologies to optimize water supply while safeguarding the environment and recommend means of capturing excess flood water for conservation use in the event of a drought. Financing options should also be discussed by the commission.

9 Appointed Members:

5-President

2-Speaker (supposedly w/ minority leader)

2-Senate Majority leader (supposedly w/ minority leader)

Must be distinctly familiar and experienced with water policy issues and may not hold any other position as an employee of the US except retired civilian employee. Chairman designated by President Serve without compensation except travel expenses and per diem.

First meeting within 60 days of all appointments to commission-At least 10 Hearings 6 Month Interim Reports w/ summary of progress to President, Resources and Transportation & Infrastructure House sub-committees and Energy and Natural Resources and Environment and Public Works Senate committees.

Terminate committee 30 days after final report is filed.

HR 135 IH Twenty-First Century Water Commission Act of 2009 (Introduces in House)

111th CONGRESS
1st Session
H. R. 135

To establish the TwentyFirst Century Water Commission to study and develop recommendations for comprehensive water strategy to address future water needs.

IN THE HOUSE OF REPRESENTATIVES

January 6, 2009

Mr. LINDER (for himself, Ms. BORDALLO, Mrs. NAPOLITANO, and Mr. COSTA) 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

A BILL

To establish the TwentyFirst Century Water Commission to study and develop recommendations for comprehensive water strategy to address future water needs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the `TwentyFirst Century Water Commission Act of 2009'.

SEC. 2. FINDINGS. Congress finds that

- (1) the Nation's water resources will be under increasing stress and pressure in the coming decades;
- (2) a thorough assessment of technological and economic advances that can be employed to increase water supplies or otherwise meet water needs in every region of the country is important and long overdue; and
- (3) a comprehensive strategy to increase water availability and ensure safe, adequate, reliable, and sustainable water supplies is vital to the economic and environmental future of the Nation.

SEC. 3. ESTABLISHMENT. There is established a commission to be known as the `TwentyFirst Century Water Commission' (in this Act referred to as the `Commission').

SEC. 4. DUTIES. The duties of the Commission shall be to

- (1) use existing water assessments and conduct such additional assessments as may be necessary to project future water supply and demand; study current water management programs of Federal, interstate, State, and local agencies, and private sector entities directed at increasing water supplies and improving the availability, reliability, and quality of freshwater resources; and
- (2) consult with representatives of such agencies and entities to develop recommendations consistent with laws, treaties, decrees, and interstate compacts for a comprehensive water strategy which
 - (A) respects the primary role of States in adjudicating, administering, and regulating water rights and water uses;
 - (B) identifies incentives intended to ensure an adequate and dependable supply of water to meet the needs of the United States for the next 50 years;
 - (C) suggests strategies that avoid increased mandates on State and local governments;
 - (D) eliminates duplication and conflict among Federal governmental programs;
 - (E) considers all available technologies and other methods to optimize water supply reliability, availability, and quality, while safeguarding the environment;
 - (F) recommends means of capturing excess water and flood water for conservation and use in the event of a drought;
 - (G) suggests financing options for comprehensive water management projects and for appropriate public works projects;
 - (H) suggests strategies to conserve existing water supplies, including recommendations for repairing aging infrastructure; and
 - (I) includes other objectives related to the effective management of the water supply to ensure reliability, availability, and quality, which the Commission shall consider appropriate.

SEC. 5. MEMBERSHIP.

(a) Number and Appointment

The Commission shall be composed of 9 members who shall be appointed not later than 90 days after the date of enactment of this Act. Member shall be appointed as follows:

- (1) 5 members appointed by the President;
- (2) 2 members appointed by the Speaker of the House of Representatives, in consultation with the minority leader of the House of Representatives; and
- (3) 2 members appointed by the majority leader of the Senate, in consultation with the minority leader of the Senate.

(b) Qualifications

Members shall be appointed to the Commission from among individuals who

(1) are of recognized standing and distinction in water policy issues; and
(2) while serving on the Commission, do not hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(c) Other Considerations

In appointing members of the Commission, every effort shall be made to ensure that the members represent a broad cross section of regional and geographical perspectives in the United States.

(d) Chairperson

The Chairperson of the Commission shall be designated by the President.

(e) Terms

Members of the Commission shall be appointed not later than 90 days after the date of enactment of this Act and shall serve for the life of the Commission.

(f) Vacancies

A vacancy on the Commission shall not affect its operation, and shall be filled in the same manner as the original appointment provided under subsection (a).

(g) Compensation and Travel Expenses

Members of the Commission shall serve without compensation, except 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.

SEC. 6. MEETINGS AND QUORUM.

(a) Meetings

The Commission shall hold its first meeting not later than 60 days after the date on which all members have been appointed under section 5, and shall hold additional meetings at the call of the Chairperson or a majority of its members.

(b) Quorum

A majority of the members of the Commission shall constitute a quorum for the transaction of business.

SEC. 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 GS15 of the General Schedule. The employment and termination of the Executive Director shall be subject to confirmation by a majority of the members of the Commission.

SEC. 8. POWERS AND PROCEEDINGS OF THE COMMISSION.

(a) Hearings

The Commission shall hold no fewer than 10 hearings during the life of the Commission. Hearings may be held in conjunction with meetings of the Commission. The Commission may take such testimony and receive such evidence as the Commission considers appropriate to carry out this Act. At least 1 hearing shall be held in Washington, DC, for the purpose of taking testimony of representatives of Federal agencies, national organizations, and Members of Congress. Other hearings shall be scheduled in distinct geographical regions of the United States and should seek to ensure testimony from individuals with a diversity of experiences, including those who work on water issues at all levels of government and in the private sector.

(b) Information and Support From Federal Agencies

Upon request of the Commission, any Federal agency shall

(1) provide to the Commission, within 30 days of its request, such information as the Commission considers necessary to carry out the provisions of this Act; and

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

SEC. 9. REPORTS.

Interim Reports

Not later than 6 months after the date of the first meeting of the Commission, and every 6 months thereafter, the Commission shall transmit

an interim report containing a detailed summary of its progress, including meetings and hearings conducted in the interim period, to

- (1) the President;
- (2) the Committee on Resources and the Committee on Transportation and Infrastructure of the House of Representatives; and
- (3) the Committee on Energy and Natural Resources and the Committee on the Environment and Public Works of the Senate.

(b) Final Report

As soon as practicable, but not later than 3 years after the date of the first meeting of the Commission, the Commission shall transmit a final report containing a detailed statement of the findings and conclusions of the Commission, and recommendations for legislation and other policies to implement such findings and conclusions, to

- (1) the President;
- (2) the Committee on Resources and the Committee on Transportation and Infrastructure of the House of Representatives; and
- (3) the Committee on Energy and Natural Resources and the Committee on the Environment and Public Works of the Senate.