109TH CONGRESS H. R. 135

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.

109th CONGRESS 1st Session

H. R. 135

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 Century3 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 dec8 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

(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.

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—

(1) use existing water assessments and conduct
such additional assessments as may be necessary to
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 members of the Commission, every effort shall be made to en-13 sure that the members represent a broad cross section of 14 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 20appointed 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 shall24 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.—Mem4 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.

(b) QUORUM.—A majority of the members of the
Commission shall constitute a quorum for the transaction
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 Committees of the Senate. The Director and any staff re porting to the Director shall be paid a rate of pay not
 to exceed the maximum rate of basic pay for GS-15 of
 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 appropriate to carry out this Act. At least 1 hearing shall be 11 held in Washington, D.C., for the purpose of taking testi-12 13 mony of representatives of Federal agencies, national organizations, and Members of Congress. Other hearings 14 15 shall be scheduled in distinct geographical regions of the United States and should seek to ensure testimony from 16 17 individuals with a diversity of experiences, including those who work on water issues at all levels of government and 18 19 in the private sector.

20 (b) INFORMATION AND SUPPORT FROM FEDERAL
21 AGENCIES.—Upon request of the Commission, any Fed22 eral agency shall—

(1) provide to the Commission, within 30 daysof its request, such information as the Commission

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

3 (2) detail to temporary duty with the Commis4 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 Com17 mittee on Transportation and Infrastructure of the
 18 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—

- 4 (1) the President;
- 5 (2) the Committee on Resources and the Com6 mittee on Transportation and Infrastructure of the
 7 House of Representatives; and
- 8 (3) the Committee on Energy and Natural Re9 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 3013 days after the date on which the Commission transmits14 a final report under section 9(b).

15 SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

16 There are authorized to be appropriated \$9,000,00017 to carry out this Act.

Passed the House of Representatives April 12, 2005. Attest:

Clerk.