

Committee on Resources

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**The Statement of Representative John Linder
to the Committee on Resources'
Subcommittee on Water and Power**

April 1, 2003

2:00 p.m.

I wish to thank Chairman Calvert, Ranking Member Napolitano, and the other distinguished members of the Subcommittee on Water and Power for putting H.R. 135, the "21st Century Water Commission Act of 2003," on the agenda of today's hearing. I appreciate having the opportunity to testify before the subcommittee about the value of creating a water commission to ensure the future of our nation's water supply well into the 21st century.

Last May, I testified before this subcommittee on behalf of my initial water commission bill, H.R. 3561. Since that time, my staff and I have worked with Chairman Calvert, his staff, and other interested parties, to create a new and improved version of this water bill, H.R. 135.

In particular, two individuals I have worked closely with on H.R. 135 are Mr. Bob Lynch and Mr. Tom Donnelly. Mr. Lynch, an attorney with extensive expertise on water rights issues in Arizona, as well as Mr. Donnelly and the National Water Resources Council, are two notable authorities on water issues who testified on H.R. 3561 last year, and offered constructive suggestions on ways to improve the bill. I understand that today they will testify in support of H.R. 135.

With these revisions to the bill, H.R. 135, also has support from the Association of California Water Agencies (ACWA), and other water groups.

Some of the more notable revisions included in H.R. 135 are as follows:

A "Findings Section" listed in the beginning of the bill, has been added to express the sense of the Congress that the nation's water resources must be utilized to their fullest capacity. This section also states that the Congress finds a comprehensive strategy to increase our water supply vital to the economic and environmental future of our nation.

Another revision is that the commission will now be composed of seven members named by the President, who are of recognized standing and distinction on water issues. The previous commission was composed of 17 members. This smaller number will allow for the commission to function more effectively, thus increasing the likelihood that the commission's recommendations will be enacted.

In addition, the powers and duties of the commission have been modified and clarified. It will now be required to submit an interim report within six months of when it starts its activities, ongoing reports after that for every six months while it is conducting its work, and a final report within three years of its inception. The commission will also be required to hold at least 10 hearings, with one hearing in Washington, D.C., to take testimony from federal officials, and other hearings in distinct geographical regions of the U.S. seeking a diversity of views, comments, and input.

The future of our nation's water supply is a serious and critical issue. Many states across the nation are currently facing a water crisis, or have in the last few years. Once thought to be a problem only in the arid West, severe droughts last summer have caused water shortages up and down the East Coast. States once accustomed to an unlimited access to water are now experiencing problems the West has had for decades.

I have read countless articles chronicling these crises, as, no doubt has every Member of the Subcommittee. Newspaper articles have described not only how rivers and wells are drying up all over the country, but also that aquifers are being challenged by salt water intrusion. And, now fish, wildlife, and crops are being threatened, too. Meanwhile, projected population growth for the United States means that water demand will continue to increase in coming years. We must develop a water strategy to meet future demands now, before full-blown water shortages hit.

Let me be clear. My bill does not give the federal government more control over water. Rather, this commission will coordinate water management efforts on all levels so that localities, states and the federal government can work together to enact a comprehensive water policy to avoid future water shortages - without encroaching on state and local governments' traditional authority over water policy.

The 21st Century Water Commission will work to ensure an adequate supply of fresh water for U.S. citizens over the next 50 years. It will not place increased mandates on state and local governments, and it will seek to eliminate conflict and duplication among governmental agencies. Most importantly, it will reduce the bureaucratic red tape many local communities face when trying to build water reservoirs and other infrastructure needs.

The bill will also consider all available technologies for increasing water supply efficiently while safeguarding the environment, recommending means of capturing excess water for future droughts, suggesting financing options for public works projects, and will fully respect the primary role of States in adjudicating, administering, and regulating water rights and uses.

The United States and its resources have changed dramatically over the past three decades. We simply cannot afford to maintain the status quo with something as critical as our nation's fresh water supply. It is time to get ahead of this issue, rather than stay "behind the curve" as Congress does far too often.

Providing all Americans with fresh water is a matter of life and death, and I hope that the Committee will support my objective of ensuring an adequate and dependable water supply of fresh water for all Americans throughout the 21st Century.

Thank you. I'll be happy to answer any questions Subcommittee Members may have.