

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1947
OFFERED BY MR. ENYART OF ILLINOIS**

At the end of subtitle E of title I, add the following
new section:

1 **SEC. 1502. NATIONAL DROUGHT COUNCIL AND NATIONAL**
2 **DROUGHT POLICY ACTION PLAN.**

3 (a) DEFINITIONS.—In this section:

4 (1) COUNCIL.—The term “Council” means the
5 National Drought Council established by this sec-
6 tion.

7 (2) DROUGHT.—The term “drought” means a
8 natural disaster that is caused by a deficiency in
9 precipitation—

10 (A) that may lead to a deficiency in sur-
11 face and subsurface water supplies (including
12 rivers, streams, wetlands, ground water, soil
13 moisture, reservoir supplies, lake levels, and
14 snow pack); and

15 (B) that causes or may cause—

16 (i) substantial economic or social im-
17 pacts; or

1 (ii) physical damage or injury to indi-
2 viduals, property, or the environment.

3 (3) INDIAN TRIBE.—The term “Indian tribe”
4 has the meaning given the term in section 4 of the
5 Indian Self-Determination and Education Assistance
6 Act (25 U.S.C. 450b).

7 (4) MEMBER.—The term “member”, with re-
8 spect to the National Drought Council, means a
9 member of the Council specified or appointed under
10 this section or, in the absence of the member, the
11 member’s designee.

12 (5) MITIGATION.—The term “mitigation”
13 means a short- or long-term action, program, or pol-
14 icy that is implemented in advance of or during a
15 drought to minimize any risks and impacts of
16 drought.

17 (6) SECRETARY.—The term “Secretary”
18 means the Secretary of Agriculture.

19 (7) STATE.—The term “State” means the sev-
20 eral States, the District of Columbia, American
21 Samoa, Guam, the Commonwealth of the Northern
22 Mariana Islands, the Commonwealth of Puerto Rico,
23 and the United States Virgin Islands.

24 (8) TRIGGER.—The term “trigger” means the
25 thresholds or criteria that must be satisfied before

1 mitigation or emergency assistance may be provided
2 to an area—

3 (A) in which drought is emerging; or

4 (B) that is experiencing a drought.

5 (9) WATERSHED.—The term “watershed”
6 means a region or area with common hydrology, an
7 area drained by a waterway that drains into a lake
8 or reservoir, the total area above a given point on
9 a stream that contributes water to the flow at that
10 point, or the topographic dividing line from which
11 surface streams flow in two different directions. In
12 no case shall a watershed be larger than a river
13 basin.

14 (10) WATERSHED GROUP.—The term “water-
15 shed group” means a group of individuals, formally
16 recognized by the appropriate State or States, who
17 represent the broad scope of relevant interests with-
18 in a watershed and who work together in a collabo-
19 rative manner to jointly plan the management of the
20 natural resources contained within the watershed.

21 (b) EFFECT OF SECTION.—This section does not af-
22 fect—

23 (1) the authority of a State to allocate quan-
24 tities of water under the jurisdiction of the State; or

1 (2) any State water rights established as of the
2 date of enactment of this Act.

3 (c) NATIONAL DROUGHT COUNCIL.—

4 (1) ESTABLISHMENT.—There is established in
5 the Office of the Secretary of Agriculture a council
6 to be known as the “National Drought Council”.

7 (2) MEMBERSHIP.—

8 (A) COMPOSITION.—The Council shall be
9 composed of—

10 (i) the Secretary (or the designee of
11 the Secretary);

12 (ii) the Secretary of Commerce (or the
13 designee of the Secretary of Commerce);

14 (iii) the Secretary of the Army (or the
15 designee of the Secretary of the Army);

16 (iv) the Secretary of the Interior (or
17 the designee of the Secretary of the Inte-
18 rior);

19 (v) the Director of the Federal Emer-
20 gency Management Agency (or the des-
21 ignee of the Director);

22 (vi) the Administrator of the Environ-
23 mental Protection Agency (or the designee
24 of the Administrator);

1 (vii) 4 members appointed by the Sec-
2 retary, in coordination with the National
3 Governors Association, each of whom shall
4 be the Governor of a State (or the designee
5 of the Governor) and who collectively shall
6 represent the geographic diversity of the
7 Nation;

8 (viii) 1 member appointed by the Sec-
9 retary, in coordination with the National
10 Association of Counties;

11 (ix) 1 member appointed by the Sec-
12 retary, in coordination with the United
13 States Conference of Mayors;

14 (x) 1 member appointed by the Sec-
15 retary of the Interior, in coordination with
16 Indian tribes, to represent the interests of
17 tribal governments; and

18 (xi) 1 member appointed by the Sec-
19 retary, in coordination with the National
20 Association of Conservation Districts, to
21 represent local soil and water conservation
22 districts.

23 (B) DATE OF APPOINTMENT.—The ap-
24 pointment of each member of the Council shall

1 be made not later than 120 days after the date
2 of enactment of this Act.

3 (3) TERM; VACANCIES.—

4 (A) TERM.—A non-Federal member of the
5 Council appointed under paragraph (2) shall be
6 appointed for a term of two years.

7 (B) VACANCIES.—A vacancy on the Coun-
8 cil—

9 (i) shall not affect the powers of the
10 Council; and

11 (ii) shall be filled in the same manner
12 as the original appointment was made.

13 (C) TERMS OF MEMBERS FILLING VACAN-
14 CIES.—Any member appointed to fill a vacancy
15 occurring before the expiration of the term for
16 which the member's predecessor was appointed
17 shall be appointed only for the remainder of
18 that term.

19 (4) MEETINGS.—

20 (A) IN GENERAL.—The Council shall meet
21 at the call of the co-chairs.

22 (B) FREQUENCY.—The Council shall meet
23 at least semiannually.

24 (5) QUORUM.—A majority of the members of
25 the Council shall constitute a quorum, but a lesser

1 number may hold hearings or conduct other busi-
2 ness.

3 (6) COUNCIL LEADERSHIP.—

4 (A) IN GENERAL.—There shall be a Fed-
5 eral co-chair and non-Federal co-chair of the
6 Council.

7 (B) APPOINTMENT.—

8 (i) FEDERAL CO-CHAIR.—The Sec-
9 retary shall be Federal co-chair.

10 (ii) NON-FEDERAL CO-CHAIR.—The
11 non-Federal members of the Council shall
12 elect, on a biannual basis, a non-Federal
13 co-chair of the Council from among the
14 members appointed under paragraph (2).

15 (d) DUTIES OF THE COUNCIL.—

16 (1) IN GENERAL.—The Council shall— (A) not
17 later than one year after the date of the first meet-
18 ing of the Council, develop a comprehensive National
19 Drought Policy Action Plan that—

20 (i)(I) delineates and integrates re-
21 sponsibilities for activities relating to
22 drought (including drought preparedness,
23 mitigation, research, risk management,
24 training, and emergency relief) among
25 Federal agencies; and

1 (II) ensures that those activities are
2 coordinated with the activities of the
3 States, local governments, Indian tribes,
4 and neighboring countries;

5 (ii) is consistent with—

6 (I) this Act and other applicable
7 Federal laws; and

8 (II) the laws and policies of the
9 States for water management;

10 (iii) is integrated with drought man-
11 agement programs of the States, Indian
12 tribes, local governments, watershed
13 groups, and private entities; and

14 (iv) avoids duplicating Federal, State,
15 tribal, local, watershed, and private
16 drought preparedness and monitoring pro-
17 grams in existence on the date of enact-
18 ment of this Act;

19 (B) evaluate Federal drought-related pro-
20 grams in existence on the date of enactment of
21 this Act and make recommendations to Con-
22 gress and the President on means of elimi-
23 nating—

24 (i) discrepancies between the goals of
25 the programs and actual service delivery;

1 (ii) duplication among programs; and

2 (iii) any other circumstances that
3 interfere with the effective operation of the
4 programs;

5 (C) make recommendations to the Presi-
6 dent, Congress, and appropriate Federal Agen-
7 cies on—

8 (i) the establishment of common inter-
9 agency triggers for authorizing Federal
10 drought mitigation programs; and

11 (ii) improving the consistency and
12 fairness of assistance among Federal
13 drought relief programs;

14 (D) encourage and facilitate the develop-
15 ment of drought preparedness plans under sub-
16 title C, including establishing the guidelines
17 under this section;

18 (E) based on a review of drought prepared-
19 ness plans, develop and make available to the
20 public drought planning models to reduce water
21 resource conflicts relating to water conservation
22 and droughts;

23 (F) develop and coordinate public aware-
24 ness activities to provide the public with access

1 to understandable and informative materials on
2 drought, including—

3 (i) explanations of the causes of
4 drought, the impacts of drought, and the
5 damages from drought;

6 (ii) descriptions of the value and bene-
7 fits of land stewardship to reduce the im-
8 pacts of drought and to protect the envi-
9 ronment;

10 (iii) clear instructions for appropriate
11 responses to drought, including water con-
12 servation, water reuse, and detection and
13 elimination of water leaks;

14 (iv) information on State and local
15 laws applicable to drought; and

16 (v) opportunities for assistance to re-
17 source-dependent businesses and industries
18 in times of drought; and

19 (G) establish operating procedures for the
20 Council.

21 (2) CONSULTATION.—In carrying out this sub-
22 section, the Council shall consult with groups af-
23 fected by drought emergencies.

24 (3) REPORTS TO CONGRESS.—

25 (A) ANNUAL REPORT.—

1 (i) IN GENERAL.—Not later than one
2 year after the date of the first meeting of
3 the Council, and annually thereafter, the
4 Council shall submit to Congress a report
5 on the activities carried out under this sec-
6 tion.

7 (ii) INCLUSIONS.—

8 (I) IN GENERAL.—The annual
9 report shall include a summary of
10 drought preparedness plans.

11 (II) INITIAL REPORT.—The ini-
12 tial report submitted under subpara-
13 graph (A) shall include any rec-
14 ommendations of the Council.

15 (B) FINAL REPORT.—Not later than seven
16 years after the date of enactment of this Act,
17 the Council shall submit to Congress a report
18 that recommends—

19 (i) amendments to this section; and

20 (ii) whether the Council should con-
21 tinue.

22 (e) POWERS OF THE COUNCIL.—

23 (1) HEARINGS.—The Council may hold hear-
24 ings, meet and act at any time and place, take any

1 testimony and receive any evidence that the Council
2 considers advisable to carry out this section.

3 (2) INFORMATION FROM FEDERAL AGENCIES.—

4 (A) IN GENERAL.—The Council may ob-
5 tain directly from any Federal agency any in-
6 formation that the Council considers necessary
7 to carry out this section.

8 (B) PROVISION OF INFORMATION.—

9 (i) IN GENERAL.—Except as provided
10 in clause (ii), on request of the Secretary
11 or the non-Federal co-chair of the Council,
12 the head of a Federal agency may provide
13 information to the Council.

14 (ii) LIMITATION.—The head of a Fed-
15 eral agency shall not provide any informa-
16 tion to the Council that the Federal agency
17 head determines the disclosure of which
18 may cause harm to national security inter-
19 ests.

20 (3) POSTAL SERVICES.—The Council may use
21 the United States mail in the same manner and
22 under the same conditions as other agencies of the
23 Federal Government.

24 (4) GIFTS.—The Council may accept, use, and
25 dispose of gifts or donations of services or property.

1 (f) COUNCIL PERSONNEL MATTERS.—

2 (1) COMPENSATION OF MEMBERS.—

3 (A) NON-FEDERAL EMPLOYEES.—A mem-
4 ber of the Council who is not an officer or em-
5 ployee of the Federal Government shall serve
6 without compensation.

7 (B) FEDERAL EMPLOYEES.—A member of
8 the Council who is an officer or employee of the
9 United States shall serve without compensation
10 in addition to the compensation received for
11 services of the member as an officer or em-
12 ployee of the Federal Government.

13 (2) TRAVEL EXPENSES.—A member of the
14 Council shall be allowed travel expenses at rates au-
15 thorized for an employee of an agency under sub-
16 chapter I of chapter 57 of title 5, United States
17 Code, while away from the home or regular place of
18 business of the member in the performance of the
19 duties of the Council.

20 (g) TERMINATION OF COUNCIL.—The Council shall
21 terminate at the end of the eighth fiscal year beginning
22 on or after the date of the enactment of this Act.

