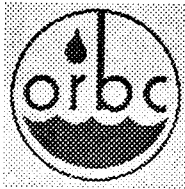


Chairman
Ken Pensyl
Maryland



Vice Chairman
Open

Executive Director
Larry Feazell

OHIO RIVER BASIN COMMISSION

August 22, 2003

The Honorable Alcee L. Hastings
The Honorable Pete V. Domenici

Dear Congressman Hastings and Senator Domenici:

Thank you for the opportunity to comment on the House of Representatives Bill, H. R. 2871 and Senate Bill, S. 1454, the National Drought Preparedness Acts of 2003. For the past three decades the Ohio River Basin Commission (ORBC) has been an advocate of preparing for drought. Since 1995, it has worked with the National Drought Mitigation Center in its efforts to help states develop effective drought programs. More recently, former ORBC Chairman, Leon Smothers of Kentucky served on the National Drought Policy Commission.

Dealing with drought on a proactive basis requires a cooperative and coordinative effort from all levels of government that emphasizes programs that are aimed at reducing impacts of future droughts as well as dealing with present ones. Your Bills support this approach.

The legislation further supports a national drought policy, the creation of an assistance fund for developing drought programs, support for research, and the creation of a monitoring network. These are elements of an overall approach to dealing with drought that the Commission believes will be effective.

In general, we are supportive of the legislation. However, there are elements we believe should be included. These are:

- A recommendation that the bills specifically provide for enhanced and stable funding for the National Drought Mitigation Center. It would also be helpful if the bills specified some of the roles of the Center, such as:
 - The Center should work closely with federal agencies and the states;
 - assist federal agencies and the states in formulating, and implementing a national drought policy; and
 - coordinate with river basin commissions and others on interstate planning efforts.

- The proposed legislation does not provide for representatives of domestic water supplies on the National Drought Council. The National Drought Policy Commission had two such representatives, one for urban water supplies and one for rural. We believe this is a substantial oversight.
- In addition, the current bills do not recognize interstate compacts or interstate river basin commissions. We believe such recognition would be especially appropriate in the section related to the Drought Assistance Fund and the section on State and Tribal Plans (which these section should also mention interstate waters). This would be a very beneficial addition to federal law and could be very helpful to the states' efforts in combating drought.

The drought of 2002 touched most of the nation. Your legislation is timely and deserves the consideration of your colleagues.

Best wishes in your efforts,

A handwritten signature in cursive script that reads "Ken Pensyl".

Ken Pensyl, Chairman
Ohio River Basin Commission