



May 10, 2011

The Honorable Fred Upton  
Chairman  
The Honorable Henry Waxman  
Ranking Member  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Upton and Ranking Member Waxman:

During a March 31 hearing on H.R. 908, the “Full Implementation of the Chemical Facility Anti-Terrorism Standards Act,” Environment and Economy Subcommittee Chairman Shimkus expressed a willingness to look into the issue of drinking water system security on its own, after the committee’s work on the CFATS reauthorization bill is complete. The undersigned organizations representing the nation’s drinking water systems support this approach.

While the Energy and Commerce Committee is scheduled to begin markup of H.R. 908 today, we urge you to consider security at community water systems separately from this legislation. Any updates to water facility security laws should be the product of careful consideration of the missions and characteristics of drinking water systems and their communities, and not simply tacked-on to legislation designed for the chemical manufacturing industry.

Energy and Commerce Committee members from both parties have consistently supported EPA oversight of community water system security, and the Obama Administration has recognized the “unique public health and environmental requirements and responsibilities” of water systems. We therefore believe that the committee’s markup of the CFATS reauthorization bill is not the proper venue for the 112<sup>th</sup> Congress to begin considering possible revisions to security requirements at community water systems.

Separate consideration of water system security is the correct approach at this time, because it will allow members to consider how community water systems must incorporate security within their public health and public safety missions – a calculation that is not related to the work of chemical facilities subject to CFATS. All of our organizations are eager and willing to work with you to address these issues at the appropriate time.

Sincerely,

American Water Works Association  
Association of California Water Agencies  
Association of Metropolitan Water Agencies  
National Association of Water Companies  
National Rural Water Association

cc: Energy and Commerce Committee members