

**Statement of C.W. “Bill” Ruth
United States Commissioner**

**International Boundary and Water Commission
United States and Mexico**

**Before the Committee on Transportation and Infrastructure
U.S. House of Representatives
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Chairman Oberstar, Ranking Member Mica, and Members of the Committee, thank you for the opportunity to update you on the progress made by the U.S. Section of the International Boundary and Water Commission (USIBWC) toward implementation of the American Recovery and Reinvestment Act of 2009 (Recovery Act). We have made implementing the Recovery Act a top priority and are pleased to report that we are moving forward quickly, efficiently and with an unprecedented level of transparency and accountability. Through this process we are putting Americans to work along the U.S.-Mexico border repairing deficient flood control structures in Dona Ana County, New Mexico and in El Paso, Hudspeth and Hidalgo Counties in Texas.

The Recovery Act appropriated \$220 million to USIBWC’s construction account for the Rio Grande Flood Control project to fund immediate infrastructure upgrades along 506 miles of flood control levees maintained by the USIBWC along the Upper and Lower Rio Grande. Of that amount, up to \$2 million may be transferred to our salaries and expenses account in support of this activity.

In 2002, the USIBWC began a multi-year project to rehabilitate deficiencies in the levee system, which constrains movement of the international boundary and provides flood protection to many New Mexico and Texas cities including Las Cruces, El Paso, Presidio, Mission, McAllen, Harlingen, and Brownsville. Levee segments lacking adequate height or that may be structurally deficient are being rebuilt in order of priority by risk to population, property and economic development.

The Recovery Act funding will allow rehabilitation of approximately 170 miles of deficient levees, including Rio Grande levees and levees in the interior floodways in the Lower Rio Grande Flood Control Project. In doing so, we will enhance the protection of lives and property of over two million border residents and achieve certification standards established by the Federal Emergency Management Agency (FEMA), thereby negating the need for residents to purchase costly flood insurance. Reducing the risk of flooding along the Upper and Lower Rio Grande by rehabilitating deficient portions of these levee systems will provide increased safety to border residents and to business communities and encourage future economic growth and development.

We have developed a comprehensive plan and an aggressive schedule for Recovery Act implementation, designed to fully obligate the Recovery Act funding no later than September 2010. We have prioritized levee segments in the Upper and Lower Rio Grande Valley for Recovery Act funding based upon greatest impact to the largest number of residents, the greatest economic benefit and the segments ready for FEMA certification. We undertook recruitment actions and hired additional term contract specialists and civil engineers.

We have continued to meet our scheduled milestones and expect to continue to do so until the construction phase is completed. Using Recovery Act funding, we initiated the procurement phase in March 2009. Within a month, we had issued 83% of the pre-construction contracts for outstanding environmental work, geo-technical analysis and design for levee segments to undergo rehabilitation with Recovery Act funding. We have now completed all of the Environmental Assessments required under the National Environmental Policy Act of 1972 and cultural resource surveys. Final cultural resource reports were received in June and July 2009 for the Lower and Upper regions, respectively, pursuant to the National Historic Preservation Act. Pending environmental requirements include obtaining two Section 404 permits from the U.S. Army Corp of Engineers.

As of July 24, we have obligated over \$21.5 million and committed to award contracts valued at close to \$3.7 million for pre-construction work, such as geo-technical analysis, aerial surveys and design. We awarded our first construction contract in the amount of \$951,000 on July 24, 2009 for repair work on the Banker Floodway in Hidalgo County, Texas. We anticipate that the contractor will mobilize within 30 days and that construction on this segment will be completed by May 2010. We expect to continue to award construction contracts through the course of the summer and fall and plan to have all construction contracts awarded by the end of December 2009. All planned construction to be undertaken with Recovery Act funding is expected to be completed by February 2011.

As noted in my previous testimony, USIBWC's progress is being reported weekly on the Recovery web site, www.Recovery.gov, and on the Department of State Recovery web site, www.state.gov/recovery. Additional details on the scope of our project and our project schedule can be located at <http://www.ibwc.gov/Recovery/Index.html>. All contracting actions are being posted on <http://www.fedbizops.com> and are being reported in the Federal Procurement Data System (FPDS). We are also providing data to this Committee on a monthly basis. The public is encouraged to report instances of waste, fraud and abuse to the Department of State OIG hotline, which can be located on both the Department of State and USIBWC websites.

USIBWC is proud of the progress we have made to date and pleased to be contributing to this important effort to bring about economic recovery, while at the same time providing long-term public benefits and infrastructure improvements to the U.S.-Mexico border.