

104TH CONGRESS
2D Session

S. 811

AMENDMENTS

In the House of Representatives, U. S.,

September 24, 1996.

Resolved, That the bill from the Senate (S. 811) entitled “An Act to authorize research into the desalinization and reclamation of water and authorize a program for States, cities, or qualifying agencies desiring to own and operate a water desalinization or reclamation facility to develop such facilities, and for other purposes”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause, and insert:

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Water Desalination Act*
 3 *of 1996”.*

4 **SEC. 2. DEFINITIONS.**

5 *As used in this Act:*

6 (1) *DESALINATION OR DESALTING.*—*The terms*
 7 *“desalination” or “desalting” mean the use of any*
 8 *process or technique for the removal and, when fea-*
 9 *sible, adaptation to beneficial use, of organic and in-*
 10 *organic elements and compounds from saline or bio-*
 11 *logically impaired waters, by itself or in conjunction*
 12 *with other processes.*

13 (2) *SALINE WATER.*—*The term “saline water”*
 14 *means sea water, brackish water, and other mineral-*
 15 *ized or chemically impaired water.*

16 (3) *UNITED STATES.*—*The term “United States”*
 17 *means the States of the United States, the District of*
 18 *Columbia, the Commonwealth of Puerto Rico, and the*
 19 *territories and possessions of the United States.*

20 (4) *USABLE WATER.*—*The term “usable water”*
 21 *means water of a high quality suitable for environ-*
 22 *mental enhancement, agricultural, industrial, munic-*
 23 *ipal, and other beneficial consumptive or non-*
 24 *consumptive uses.*

25 (5) *SECRETARY.*—*The term “Secretary” means*
 26 *the Secretary of the Interior.*

1 **SEC. 3. AUTHORIZATION OF RESEARCH AND STUDIES.**

2 (a) *IN GENERAL.*—*In order to determine the most cost-*
 3 *effective and technologically efficient means by which usable*
 4 *water can be produced from saline water or water otherwise*
 5 *impaired or contaminated, the Secretary is authorized to*
 6 *award grants and to enter into contracts, to the extent pro-*
 7 *vided in advance in appropriation Acts, to conduct, encour-*
 8 *age, and assist in the financing of research to develop proc-*
 9 *esses for converting saline water into water suitable for ben-*
 10 *eficial uses. Awards of research grants and contracts under*
 11 *this section shall be made on the basis of a competitive,*
 12 *merit-reviewed process. Research and study topics author-*
 13 *ized by this section include—*

- 14 (1) *investigating desalination processes;*
- 15 (2) *ascertaining the optimum mix of investment*
 16 *and operating costs;*
- 17 (3) *determining the best designs for different con-*
 18 *ditions of operation;*
- 19 (4) *investigating methods of increasing the eco-*
 20 *nomie efficiency of desalination processes through*
 21 *dual-purpose co-facilities with other processes involv-*
 22 *ing the use of water;*
- 23 (5) *conducting or contracting for technical work,*
 24 *including the design, construction, and testing of pilot*
 25 *systems and test beds, to develop desalting processes*
 26 *and concepts;*

1 (6) *studying methods for the recovery of byprod-*
 2 ucts resulting from desalination to offset the costs of
 3 treatment and to reduce environmental impacts from
 4 those byproducts; and

5 (7) *salinity modeling and toxicity analysis of*
 6 brine discharges, cost reduction strategies for con-
 7 structing and operating desalination facilities, and
 8 the horticultural effects of desalinated water used for
 9 irrigation.

10 (b) *PROJECT RECOMMENDATIONS AND REPORTS TO*
 11 THE CONGRESS.—*As soon as practicable and within three*
 12 years after the date of enactment of this Act, the Secretary
 13 shall recommend to Congress desalination demonstration
 14 projects or full-scale desalination projects to carry out the
 15 purposes of this Act and to further evaluate and implement
 16 the results of research and studies conducted under the au-
 17 thority of this section. Recommendations for projects shall
 18 be accompanied by reports on the engineering and economic
 19 feasibility of proposed projects and their environmental im-
 20 pacts.

21 (c) *AUTHORITY TO ENGAGE OTHERS.*—*In carrying*
 22 out research and studies authorized in this section, the Sec-
 23 retary may engage the necessary personnel, industrial or
 24 engineering firms, Federal laboratories, water resources re-
 25 search and technology institutes, other facilities, and edu-

1 *cational institutions suitable to conduct investigations and*
 2 *studies authorized under this section.*

3 (d) *ALTERNATIVE TECHNOLOGIES.*—*In carrying out*
 4 *the purposes of this Act, the Secretary shall ensure that at*
 5 *least three separate technologies are evaluated and dem-*
 6 *onstrated for the purposes of accomplishing desalination.*

7 **SEC. 4. DESALINATION DEMONSTRATION AND DEVELOP-**
 8 **MENT.**

9 (a) *IN GENERAL.*—*In order to further demonstrate the*
 10 *feasibility of desalination processes investigated either inde-*
 11 *pendently or in research conducted pursuant to section 3,*
 12 *the Secretary shall administer and conduct a demonstration*
 13 *and development program for water desalination and relat-*
 14 *ed activities, including the following:*

15 (1) *DESALINATION PLANTS AND MODULES.*—
 16 *Conduct or contract for technical work, including the*
 17 *design, construction, and testing of plants and mod-*
 18 *ules to develop desalination processes and concepts.*

19 (2) *BYPRODUCTS.*—*Study methods for the mar-*
 20 *keting of byproducts resulting from the desalting of*
 21 *water to offset the costs of treatment and to reduce en-*
 22 *vironmental impacts of those byproducts.*

23 (3) *ECONOMIC SURVEYS.*—*Conduct economic*
 24 *studies and surveys to determine present and prospec-*
 25 *tive costs of producing water for beneficial purposes*

1 *in various locations by desalination processes com-*
 2 *pared to other methods.*

3 *(b) COOPERATIVE AGREEMENTS.—Federal participa-*
 4 *tion in desalination activities may be conducted through*
 5 *cooperative agreements, including cost-sharing agreements,*
 6 *with non-Federal public utilities and State and local gov-*
 7 *ernmental agencies and other entities, in order to develop*
 8 *recommendations for Federal participation in processes and*
 9 *plants utilizing desalting technologies for the production of*
 10 *water.*

11 **SEC. 5. AVAILABILITY OF INFORMATION.**

12 *All information from studies sponsored or funded*
 13 *under authority of this Act shall be considered public infor-*
 14 *mation.*

15 **SEC. 6. TECHNICAL AND ADMINISTRATIVE ASSISTANCE.**

16 *The Secretary may—*

17 *(1) accept technical and administrative assist-*
 18 *ance from States and public or private agencies in*
 19 *connection with studies, surveys, location, construc-*
 20 *tion, operation, and other work relating to the*
 21 *desalting of water, and*

22 *(2) enter into contracts or agreements stating the*
 23 *purposes for which the assistance is contributed and*
 24 *providing for the sharing of costs between the Sec-*
 25 *retary and any such agency.*

1 **SEC. 7. COST SHARING.**

2 *The Federal share of the cost of a research, study, or*
 3 *demonstration project or a desalination development project*
 4 *or activity carried out under this Act shall not exceed 50*
 5 *percent of the total cost of the project or research or study*
 6 *activity. A Federal contribution in excess of 25 percent for*
 7 *a project carried out under this Act may not be made unless*
 8 *the Secretary determines that the project is not feasible*
 9 *without such increased Federal contribution. The Secretary*
 10 *shall prescribe appropriate procedures to implement the*
 11 *provisions of this section. Costs of operation, maintenance,*
 12 *repair, and rehabilitation of facilities funded under the au-*
 13 *thority of this Act shall be non-Federal responsibilities.*

14 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) *SECTION 3.—There are authorized to be appro-*
 16 *priated to carry out section 3 of this Act \$5,000,000 per*
 17 *year for fiscal years 1997 through 2002. Of these amounts,*
 18 *up to \$1,000,000 in each fiscal year may be awarded to*
 19 *institutions of higher education, including United States-*
 20 *Mexico binational research foundations and interuniversity*
 21 *research programs established by the two countries, for re-*
 22 *search grants without any cost-sharing requirement.*

23 (b) *SECTION 4.—There are authorized to be appro-*
 24 *priated to carry out section 4 of this Act \$25,000,000 for*
 25 *fiscal years 1997 through 2002.*

1 **SEC. 9. CONSULTATION.**

2 *In carrying out the provisions of this Act, the Sec-*
3 *retary shall consult with the heads of other Federal agencies,*
4 *including the Secretary of the Army, which have experience*
5 *in conducting desalination research or operating desalina-*
6 *tion facilities. The authorization provided for in this Act*
7 *shall not prohibit other agencies from carrying out sepa-*
8 *rately authorized programs for desalination research or op-*
9 *erations.*

Amend the title so as to read: “An Act to authorize the Secretary of the Interior to conduct studies regarding the desalination of water and water reuse, and for other purposes.”.

Attest:

Clerk.