

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 811**

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**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.*