

108TH CONGRESS
1ST SESSION

S. 1211

To further the purposes of title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992, the “Reclamation Wastewater and Groundwater Study and Facilities Act”, by directing the Secretary of the Interior to undertake a demonstration program for water reclamation in the Tularosa Basin of New Mexico, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 9, 2003

Mr. DOMENICI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To further the purposes of title XVI of the Reclamation Projects Authorization and Adjustment Act of 1992, the “Reclamation Wastewater and Groundwater Study and Facilities Act”, by directing the Secretary of the Interior to undertake a demonstration program for water reclamation in the Tularosa Basin of New Mexico, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TULAROSA BASIN FACILITY.**

4 (a) In furtherance of the purposes of title XVI of the
5 Reclamation Projects Authorization and Adjustment Act

1 of 1992 (106 Stat. 4600, 4663; 43 U.S.C. 390h), the Sec-
2 retary of the Interior (“Secretary”) shall construct, man-
3 age, and maintain a test and evaluation facility (‘facility’)
4 at the Tularosa Basin, located in Otero County in the
5 State of New Mexico capable of processing at least
6 100,000 gallons of water per day.

7 (b) OBJECTIVES OF FACILITY.—The facility shall be
8 used to carry out research on, and to test, demonstrate,
9 and evaluate new desalination technologies to produce po-
10 table water from saline or other unsuitable water, includ-
11 ing analysis of effects on energy consumption, byproduct
12 disposal, and operations and maintenance costs to deter-
13 mine the most technologically-efficient and cost-effective
14 means to produce potable water from saline or other un-
15 suitable water using desalination technologies.

16 (c) TECHNOLOGY PLAN DEVELOPMENT.—The Sec-
17 retary shall contract with Sandia National Laboratory
18 (“Sandia”) to develop a desalination technology plan
19 (‘plan’) within one year from the date when funds are
20 made available for the purposes of this Act. The plan
21 shall—

22 (1) be developed in consultation with the Sec-
23 retary and the Secretary of Energy;

1 (2) consider the experience of similar facilities
2 and research programs operated by the Federal gov-
3 ernment and by other research institutions; and

4 (3) include recommendations for the siting and
5 configuration of the facility and the research and de-
6 velopment program to be undertaken at the facility.

7 (d) REVIEW OF PLAN.—The Secretary shall review
8 the plan and may modify or change any recommendation
9 after consultation with the Secretary of Energy.

10 (e) CONSTRUCTION OF FACILITY.—Within three
11 years from the date of completion of the plan, the Sec-
12 retary shall construct the facility in accordance with the
13 recommendations contained in the plan, including any
14 modifications or changes. The Secretary may contract
15 with other Federal agencies, State agencies, educational
16 institutions, and private entities for construction of the fa-
17 cility.

18 (f) MEMORANDUM OF AGREEMENT FOR OPER-
19 ATION.—The Secretary and the Secretary of Energy shall
20 enter into a Memorandum of Agreement for the operation
21 of the facility and the conduct of research under this Act.
22 Research may be conducted at the facility and may also
23 be carried out at any laboratory facility determined to be
24 suitable by Sandia. The Secretary and the Secretary of
25 Energy shall establish a technical advisory panel drawn

1 from Federal or State agencies, academic institutions, and
2 private or public entities to provide program guidance and
3 technical assistance in the operation or the facility and
4 conduct of research.

5 (g) PROVISION OF WATER.—The Secretary shall dis-
6 pose of all water produced by the facility under contract
7 with one more communities located in Otero County, New
8 Mexico where the water would be supplementary to water
9 provided by public water systems or wells in the commu-
10 nities and only after Sandia notifies the Secretary that
11 the water is of a consistent, reliable quality. The water
12 shall be provided at no cost to the local community except
13 for the costs of conveyance and delivery.

14 **SEC. 2. RESEARCH AND DEVELOPMENT PROGRAM.**

15 The Secretary and the Secretary of Energy may un-
16 dertake research and development of desalination tech-
17 nologies in addition to the program carried out at the fa-
18 cility directly or by contract, interagency agreement, coop-
19 erative agreement, or grant. Any agreement or grant may
20 be made only on the basis of a competitive, merit-reviewed
21 process. The Secretary and the Secretary of Energy may
22 carry out the program at a location outside the United
23 States after consultation with and approval by the Sec-
24 retary of State.

1 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

2 Appropriations may be made to the Secretary and to
3 the Secretary of Energy. There are authorized to be ap-
4 propriated such sums as may be necessary to carry out
5 the provisions of this Act, but not to exceed—

6 (1) \$1,500,000 for development of the plan
7 under section 1(e);

8 (2) \$30,00,000 (January 2003 price levels),
9 plus or minus such amounts, if any, as may be re-
10 quired by reason of ordinary fluctuations in con-
11 struction costs as indicated by engineering cost in-
12 dexes applicable to the types of construction involved
13 for the construction of the facility;

14 (3) \$6,000,000 for each of fiscal years 2004
15 through 2010 for transfer to Sandia to carry out re-
16 search programs associated with the facility; and

17 (4) \$10,000,000 for each of fiscal years 2004
18 through 2010 for research and development activi-
19 ties under section 2 of which not more than
20 \$1,500,000 in any fiscal year may be for research
21 undertaken directly by the Secretary and not more
22 than \$1,000,000 in any fiscal year may be for
23 grants to institutions of higher education (including
24 United States-Mexico binational research founda-

- 1 tions and interuniversity research programs estab-
- 2 lished by the 2 countries).

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