

## Union Calendar No.

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**H. R. 1145****[Report No. 111-]**

To implement a National Water Research and Development Initiative, and  
for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 2009

Mr. GORDON of Tennessee introduced the following bill; which was referred  
to the Committee on Science and Technology

APRIL --, 2009

Reported with an amendment, committed to the Committee of the Whole  
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 24, 2009]

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**A BILL**

To implement a National Water Research and Development  
Initiative, 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. SHORT TITLE.**

4 *This Act may be cited as the “National Water Research*  
5 *and Development Initiative Act of 2009”.*

1 **SEC. 2. NATIONAL WATER RESEARCH AND DEVELOPMENT**  
2 **INITIATIVE.**

3 (a) *INITIATIVE AND PURPOSE.*—*The President shall*  
4 *implement a National Water Research and Development*  
5 *Initiative (in this Act referred to as the “Initiative”). The*  
6 *purpose of the Initiative is to improve the Federal Govern-*  
7 *ment’s role in designing and implementing Federal water*  
8 *research, development, demonstration, data collection and*  
9 *dissemination, education, and technology transfer activities*  
10 *to address changes in water use, supply, and demand in*  
11 *the United States, including providing additional support*  
12 *to increase water supply through greater efficiency and con-*  
13 *servation.*

14 (b) *INTERAGENCY COMMITTEE.*—

15 (1) *IN GENERAL.*—*Not later than 3 months after*  
16 *the date of enactment of this Act, the President shall*  
17 *establish, or designate, an interagency committee to*  
18 *implement the Initiative under subsection (a). The*  
19 *Office of Science and Technology Policy shall chair*  
20 *the interagency committee.*

21 (2) *COMPOSITION.*—*The interagency committee*  
22 *shall include a representative from each agency that*  
23 *conducts research related to water or has authority*  
24 *over resources that affect water supply, as well as a*  
25 *representative from the Office of Management and*  
26 *Budget.*

1           (3) *FUNCTIONS OF THE INTERAGENCY COM-*  
2           *MITTEE.—The interagency committee shall—*

3                   (A) *develop a National Water Research and*  
4                   *Assessment Plan (in this Act referred to as the*  
5                   *“plan”) in accordance with subsection (c) and in*  
6                   *coordination with State, local, and tribal govern-*  
7                   *ments;*

8                   (B) *coordinate all Federal research, develop-*  
9                   *ment, demonstration, data collection and dis-*  
10                   *semination, education, and technology transfer*  
11                   *activities pertaining to water;*

12                   (C) *encourage cooperation among Federal*  
13                   *agencies and State, local, and tribal governments*  
14                   *with respect to water-related research, develop-*  
15                   *ment, and technological innovation activities to*  
16                   *avoid duplication of effort and to ensure optimal*  
17                   *use of resources and expertise;*

18                   (D) *facilitate technology transfer, commu-*  
19                   *nication, and opportunities for information ex-*  
20                   *change with non-governmental organizations,*  
21                   *State and local governments, tribal governments,*  
22                   *industry, and other members of the stakeholder*  
23                   *community through the office established in*  
24                   *paragraph (4);*

1           (E) provide guidance on outreach to minor-  
2           ity serving institutions that are eligible institu-  
3           tions under section 371(a) of the Higher Edu-  
4           cation Act of 1965 (20 U.S.C. 1067q(a)) to en-  
5           courage such institutions to apply for funding  
6           opportunities specified in the plan;

7           (F) encourage cooperation between Federal  
8           agencies, State and local governments, and tribal  
9           governments to develop standard methods for col-  
10          lecting, managing, and disseminating data on  
11          water; and

12          (G) not later than 1 year after the date of  
13          enactment of this Act and every 3 years there-  
14          after—

15               (i) identify from each agency described  
16               in paragraph (2) the statutory or regu-  
17               latory barriers preventing the use of any  
18               technology, technique, data collection meth-  
19               od, or model that would contribute to great-  
20               er availability of water resources in the  
21               United States through enhanced efficiency  
22               and conservation; and

23               (ii) submit a report of the findings  
24               from clause (i) to Congress.

1           (4) *NATIONAL WATER INITIATIVE COORDINATION*  
2           *OFFICE.*—

3                   (A) *IN GENERAL.*—*Not later than 3 months*  
4                   *after the date of enactment of this Act, the Presi-*  
5                   *dent shall establish a National Water Initiative*  
6                   *Coordination Office (in this Act referred to as*  
7                   *the “Office”), with full-time staff, to—*

8                           (i) *provide technical and administra-*  
9                           *tive support to the interagency committee;*

10                           (ii) *serve as a point of contact on Fed-*  
11                           *eral water activities for government agen-*  
12                           *cies, organizations, academia, industry,*  
13                           *professional societies, and others to exchange*  
14                           *technical and programmatic information;*  
15                           *and*

16                           (iii) *communicate with the public on*  
17                           *the findings and recommendations of the*  
18                           *interagency committee based on the activi-*  
19                           *ties conducted pursuant to the Initiative.*

20                   (B) *FUNDING.*—*The operation of the Office*  
21                   *shall be supported by funds contributed from*  
22                   *each agency represented on the interagency com-*  
23                   *mittee.*

24           (c) *NATIONAL WATER RESEARCH AND ASSESSMENT*  
25           *PLAN.*—

1           (1) *PLAN DEVELOPMENT.*—*The plan required*  
2           *under subsection (b)(3)(A) shall establish the prior-*  
3           *ities for Federal water research, including federally*  
4           *funded research, and assessment for the 4-year period*  
5           *beginning in the year in which the plan is submitted*  
6           *to Congress. In the development of the plan, the inter-*  
7           *agency committee shall consider and utilize rec-*  
8           *ommendations and information from State, local, and*  
9           *tribal governments and contained in reports that have*  
10           *addressed water research needs, including the 2007 re-*  
11           *port issued by the Subcommittee on Water Avail-*  
12           *ability and Quality (SWAQ) of the National Science*  
13           *and Technology Council’s Committee on Environment*  
14           *and Natural Resources and recommendations of the*  
15           *National Academy of Sciences.*

16           (2) *SPECIFIC REQUIREMENTS.*—*The plan shall—*

17                   (A) *identify each current program and ac-*  
18                   *tivity of each Federal agency related to the Ini-*  
19                   *tiative;*

20                   (B) *identify funding levels for the previous*  
21                   *fiscal year for each program and, if applicable,*  
22                   *each activity identified in subparagraph (A);*

23                   (C) *set forth a strategy and a timeline to*  
24                   *achieve the outcomes described in subsection (d)*  
25                   *and shall describe—*

1                   (i) each activity required of each agen-  
2                   cy responsible for contributing to each such  
3                   outcome;

4                   (ii) the funding levels necessary to  
5                   achieve each such outcome; and

6                   (iii) the distribution of funds between  
7                   each agency based on such agency's role in  
8                   carrying out such activity;

9                   (D) be subject to a 90-day public comment  
10                  period and shall address suggestions received and  
11                  incorporate public input received, as appro-  
12                  priate; and

13                  (E) be submitted to Congress not later than  
14                  1 year after the date of enactment of this Act.

15                  (d) *WATER RESEARCH OUTCOMES AND ASSESS-*  
16                  *MENTS.—The plan shall outline and direct agencies under*  
17                  *the interagency committee to work to achieve the following*  
18                  *outcomes:*

19                       (1) *Implementation of a National Water Census,*  
20                       *which shall include the collection of data on national*  
21                       *water resources to create a comprehensive database*  
22                       *that includes information about the quantity, avail-*  
23                       *ability, and quality of ground water and surface*  
24                       *water resources.*

1           (2) *Development of a new generation of water*  
2           *monitoring techniques.*

3           (3) *Development of technologies for enhancing re-*  
4           *liable water supply, water reuse, and pollution pre-*  
5           *vention.*

6           (4) *Development of innovative technologies and*  
7           *tools to enhance water quality, including advanced*  
8           *water treatment and water purification technologies.*

9           (5) *Development of innovative technologies and*  
10          *tools to enhance water-use efficiency and tools to en-*  
11          *courage public acceptance of such technologies and*  
12          *tools.*

13          (6) *Development of tools and processes to facili-*  
14          *tate resolution of conflicts over water resources.*

15          (7) *Development of information technology sys-*  
16          *tems to enhance water quality and supply.*

17          (8) *Improvement of understanding of water-re-*  
18          *lated ecosystem services and ecosystem needs for*  
19          *water.*

20          (9) *Improvement of hydrologic prediction models*  
21          *and their applications.*

22          (10) *Analyses of the energy required to provide*  
23          *reliable water supplies and the water required to pro-*  
24          *vide reliable energy supplies throughout the United*  
25          *States.*



1           (11) *Analyses of the social, behavioral, and eco-*  
2           *nom ic barriers to sustainable use of water resources*  
3           *in the United States.*

4           (12) *Assessment of national water availability*  
5           *and use.*

6           (13) *Regional assessments of the status of water*  
7           *supplies and evaluation of potential changes in such*  
8           *status due to changes in land use, population size and*  
9           *distribution, and economic activity.*

10          (14) *Assessment of water quality, availability,*  
11          *and use in rural areas, including—*

12                   (A) *maintaining water quality and enhanc-*  
13                   *ing energy efficiency of water treatment and de-*  
14                   *livery through the use of technologies or practices*  
15                   *developed to address rural communities; and*

16                   (B) *developing data and information to*  
17                   *support water planning and conservation.*

18          (e) *ADVISORY COMMITTEE.—The President shall estab-*  
19          *lish, or designate, an advisory committee to advise the*  
20          *interagency committee established under subsection (b).*

21          **SEC. 3. BUDGET COORDINATION.**

22           (a) *IN GENERAL.—The President shall provide guid-*  
23           *ance to each Federal agency participating in the Initiative*  
24           *with respect to the preparation of requests for appropria-*  
25           *tions for activities related to the plan.*

1           **(b) CONSIDERATION IN THE PRESIDENT'S BUDGET.**—  
2 *The President shall submit, at the time of the President's*  
3 *annual budget request to Congress, a description of those*  
4 *items in each agency's budget which are elements of the plan*  
5 *or help to achieve the outcomes of the plan.*

6 **SEC. 4. COORDINATION.**

7           *The interagency committee shall coordinate the activi-*  
8 *ties of the Initiative with the United States Global Change*  
9 *Research Program.*

10 **SEC. 5. ANNUAL REPORT.**

11           *Concurrent with the annual submission of the Presi-*  
12 *dent's budget to Congress, the President shall submit to Con-*  
13 *gress a report that describes the activities and results of the*  
14 *Initiative during the previous fiscal year and outlines the*  
15 *objectives for the next fiscal year. The report shall include*  
16 *detailed information on all programs and activities in-*  
17 *volved in the Initiative, including an analysis of progress*  
18 *towards achieving the outcomes listed in section 2(d).*

19 **SEC. 6. NATIONAL WATER PILOT TESTING FACILITY FEASI-**  
20 **BILITY STUDY AND REPORT.**

21           **(a) STUDY.**—

22                   **(1) REQUIREMENT.**—*The Comptroller General of*  
23 *the United States shall complete a study examining*  
24 *the feasibility and practicality of creating a national*  
25 *water pilot testing facility.*

1           (2) *CONTENTS.*—*The study shall—*

2                   (A) *examine Federal programs and facili-*  
3                   *ties that currently engage in some form of water*  
4                   *technology testing;*

5                   (B) *evaluate the practicality and identify*  
6                   *the potential costs of establishing a national*  
7                   *water pilot testing facility; and*

8                   (C) *examine the efforts of Federal agencies*  
9                   *to establish testing facilities related to other tech-*  
10                   *nologies, including wind and solar, and the les-*  
11                   *sons learned from implementing these programs.*

12           (b) *REPORT.*—*Not later than 2 years after the date*  
13 *of enactment of this Act, the Comptroller General shall*  
14 *transmit to Congress a report on the key findings of the*  
15 *study conducted under subsection (a).*

16 ***SEC. 7. DOE WATER TECHNOLOGIES FOR INCREASED EN-***  
17 ***ERGY EFFICIENCY ACTIVITIES.***

18           Section 452(c)(2) of the *Energy Independence and Se-*  
19 *curity Act of 2007 (Public Law 110–140; 42 U.S.C. 17111)*  
20 *is amended—*

21                   (1) *in subparagraph (C), by striking “and” after*  
22 *the semicolon;*

23                   (2) *by redesignating subparagraphs (D) through*  
24 *(F) as subparagraphs (E) through (G), respectively;*  
25 *and*

1           (3) *by inserting after subparagraph (C) the fol-*  
2           *lowing:*

3                   “(D) *research to develop water efficient*  
4                   *technologies that increase energy efficiency, in-*  
5                   *cluding utilization of impaired water sources in*  
6                   *production;”.*

7   **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

8           *There are authorized to be appropriated to the Na-*  
9           *tional Oceanic and Atmospheric Administration for coordi-*  
10          *nation and outreach activities conducted under this Act*  
11          *through the Office established in section 2(b)(4)—*

12                   (1) *\$2,000,000 for fiscal year 2010;*

13                   (2) *\$2,000,000 for fiscal year 2011; and*

14                   (3) *\$2,000,000 for fiscal year 2012.*