

Showing Current Law as Amended by H.R. 7889

[new text highlighted in yellow; text to be deleted bracketed and highlighted in blue]

Water Resources Research Act of 1984 (Public Law 98–242; 42 U.S.C. 10301 et seq.)

SEC. 101. This Act may be cited as the “Water Resources Research Act of 1984”.

SEC. 102. The Congress finds and declares that—

(1) the existence of an adequate supply of water of good quality for the production of materials and energy for the Nation's needs and for the efficient use of the Nation's energy and water resources is essential to national economic stability and growth, and to the well-being of the people;

(2) the management of water resources is closely related to maintaining environmental quality, productivity of natural resources and agricultural systems, and social well-being;

(3) there is an increasing threat of impairment to the quantity and quality of surface and groundwater resources;

(4) the Nation's capabilities for technological assessment and planning and for policy formulation for water resources must be strengthened at the Federal, State, and local governmental levels;

(5) there should be a continuing national investment in water and related research and technology commensurate with growing national needs;

(6) it is necessary to provide for the research and development of technology for the conversion of saline and other impaired waters to a quality suitable for municipal, industrial, agricultural, recreational, and other beneficial uses;

(7) the Nation must provide programs to strengthen research and associated graduate education because the pool of scientists, engineers, and technicians trained in fields related to water resources constitutes an invaluable natural resource which should be increased, fully utilized, and regularly replenished; and

(8) long-term planning and policy development are essential to ensure the availability of an abundant supply of high quality water for domestic and other uses; and

(9) the States must have the research and problem-solving capacity necessary to effectively manage their water resources.

SEC. 103. It is the purpose of this Act to assist the Nation and the States in augmenting their water resources science and technology as a way to—

(1) assure supplies of water sufficient in quantity and quality to meet the Nation's expanding needs for the production of food, materials, and energy;

(2) discover practical solutions to the Nation's water and water resources related problems, particularly those problems related to impaired water quality;

(3) assure the protection and enhancement of environmental and social values in connection with water resources management and utilization;

(4) promote the interest of State and local governments as well as private industry, including the growing artificial intelligence industry, in research and the development of technology that will reclaim waste water and to convert saline and other impaired waters to waters suitable for municipal, industrial, agricultural, recreational, and other beneficial uses;

- (5) promote more effective coordination of the Nation's water resources research program;
- (6) promote the development of a cadre of trained research scientists, engineers, and technicians for future water resources problems; and
- (7) encourage long-term planning and research to meet future water management, quality, and supply challenges.

SEC. 104. (a) Subject to the approval of the Secretary of the Interior (hereafter in this Act referred to as the “Secretary”) under this section, one water resources research and technology institute, center, or equivalent agency (hereafter in this Act referred to as the “institute”) may be established in each State (as used in this Act, the term “State” includes the Commonwealth of Puerto Rico, the District of Columbia, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Mariana Islands and the Federated States of Micronesia) at a college or university which was established in accordance with the Act approved July 2, 1862 (12 Stat. 503; 7 U.S.C. 301ff), entitled “An Act donating public lands to the several States and territories which may provide colleges for the benefit of agriculture and the mechanic arts” or at some other institution designated by act of the legislature of the State concerned. If there is more than one such college or university in a State established in accordance with such Act of July 2, 1862, the institute in such State shall, in the absence of a designation to the contrary by act of the legislature of the State, be established at the one such college or university designated by the Governor of the State. Two or more States may operate in the establishment of a single institute or regional institute, in which event the sums otherwise allocated to institutes in each of the cooperating States shall be paid to such single or regional institute.

(b) Each institute shall—

(1) plan, conduct, or otherwise arrange for competent applied and peer reviewed research that fosters—

(A) improvements in water supply reliability;

(B) the exploration of new ideas that—

(i) address water problems; or

(ii) expand understanding of water and water resources;

(C) the entry of new research scientists, engineers, and technicians into water resources fields; and

(D) the dissemination of research results to water managers and the public; and

(2) cooperate closely with other colleges and universities in the State that have demonstrated capabilities for research, information dissemination, and graduate training in order to develop a statewide program designed to resolve State and regional water and related land problems. Each institute shall also cooperate closely with other institutes and other organizations in the region to increase the effectiveness of the institutes and for the purpose of promoting regional coordination.

(c) GRANTS.—

(1) IN GENERAL.—From the sums appropriated pursuant to subsection (f), the Secretary shall make grants to each institute to be matched on a basis of no less than 1 non-Federal dollar for every 1 Federal dollar.

(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.

(d) Prior to and as a condition of the receipt each fiscal year of funds appropriated under subsection (f) of this section, each institute shall submit to the Secretary for his approval a water research program that includes assurances, satisfactory to the Secretary, that such program was developed in close consultation and collaboration with the director of that State's department of water resources or similar agency, other leading water resources officials within the State, and interested members of the public. The program described in the preceding sentence shall include plans to promote research, training, information dissemination, and other activities meeting the needs of the State and Nation, and shall encourage regional cooperation among institutes in research into areas of water management, development, and conservation that have a regional or national character.

(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 5 years to determine—

(A) the quality and relevance of the water resources research of the institute;

(B) the effectiveness of the institute at producing measured results and applied water supply research; and

(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.

[(f)(1) There is authorized to be appropriated to carry out this section, to remain available until expended, \$12,000,000 for each of fiscal years 2022 through 2025.]

(f) GENERAL AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.— Except as provided in paragraph (2) and subject to subsection (g)(1), there is authorized to be appropriated to carry out this section \$16,000,000 for each of fiscal years 2026 through 2029.

[(2) Any sums] **(2) FAILURE TO OBLIGATE.—** Any amounts appropriated under this subsection but which fail to be obligated by the close of the fiscal year for which they were appropriated shall be transferred by the Secretary and available for obligation during the succeeding fiscal year under the terms of **[section 104(g) of this Act]** subsection (g).

(g) ADDITIONAL FUNDS FOR RESEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE NATURE.—

(1) IN GENERAL.— Of the amounts made available under subsection (f)(1) for each of fiscal years 2026 through 2029, 20 percent shall be used [(g)(1) There is further authorized to be appropriated to the Secretary of the Interior the sum of \$3,000,000 for each of fiscal years 2022 through 2025] only for reimbursement of the direct cost expenses of additional research or synthesis of the results of research [by institutes which focuses on water problems and issues of a regional or interstate nature beyond those of concern only to a single State and which relate to specific program priorities identified jointly by the Secretary and the institutes. Such funds when appropriated] by institutes with respect to any of the following:

(A) Research that focuses on water problems and issues of a regional or interstate nature beyond those of concern only to a single State.

(B) Research that relates to specific program priorities identified jointly by the Secretary and the institutes.

(C) Research that relates to water problems identified by Congress as being of an interstate nature.

(2) FEDERAL COST-SHARE.— Funds made available under this subsection shall be matched on a not less than dollar-for-dollar basis by funds made available to institutes or groups of institutes, by States or other non-Federal sources.

(3) AVAILABILITY OF FUNDS. — Funds made [Funds made] available under this subsection shall remain available until expended.

(4) COMPETITIVE GRANTS. — [(2) Research funds] made available under this subsection shall be made on a competitive basis subject to the merit of the proposal, the need for the information to be produced, and the opportunity such funds will provide for training of water resources scientists or professionals.

(h) COORDINATION.—

(1) IN GENERAL.—To carry out this Act, the Secretary—

(A) shall encourage other Federal departments, agencies (including agencies within the Department of the Interior), and instrumentalities to use and take advantage of the expertise and capabilities that are available through the institutes established by this section, on a cooperative or other basis;

(B) shall encourage cooperation and coordination with other Federal programs concerned with water resources problems and issues;

(C) may enter into contracts, cooperative agreements, and other transactions without regard to section 3709 of the Revised Statutes (41 U.S.C. 5);

(D) may accept funds from other Federal departments, agencies (including agencies within the Department of the Interior), and instrumentalities to pay for and add to grants made, and contracts entered into, by the Secretary;

(E) may promulgate such regulations as the Secretary considers appropriate; and

(F) may support a program of internships for qualified individuals at the undergraduate and graduate levels to carry out the educational and training objectives of this Act.

(2) REPORTS.—The Secretary shall report to Congress annually on coordination efforts with other Federal departments, agencies, and instrumentalities under paragraph (1). As part of the annual budget submission to Congress, the Secretary shall also provide a crosscut budget detailing the expenditures on activities listed under subsection (a)(1) and

a report which details the level of applied research and the results of the activities authorized by this Act, including potential and actual—

(A) increases in annual water supplies;

(B) increases in annual water yields;

(C) advances in water infrastructure and water quality improvements; and

(D) methods for identifying, and determining the effectiveness of, treatment technologies and efficiencies.

(3) **RELATIONSHIP TO STATE RIGHTS.**—Nothing in this Act shall preempt the rights and authorities of any State with respect to its water resources or management of those resources.