

WATER RESOURCES RESEARCH ACT AMENDMENTS OF
2006

SEPTEMBER 6, 2006.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. POMBO, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 4588]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 4588) to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Water Resources Research Act of 1984, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Water Resources Research Act Amendments of 2006”.

SEC. 2. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) SCOPE OF RESEARCH; OTHER ACTIVITIES; COOPERATION AND COORDINATION.—Section 104(b)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(b)(1)) is amended to read as follows:

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

“(A) improvements in water supply reliability;

“(B) resolutions of other water problems;

“(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.”.

(b) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—Section 104(e) of the Water Resources Research Act of 1984 (42 U.S.C. 10303 (e)) is amended—

(1) by striking “5” and inserting “3”; and

(2) by inserting “at producing measured results and applied water supply research” after “effectiveness”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 104(f)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(f)(1)) is amended to read as follows:

“(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 2007 through 2011.”.

(d) ADDITIONAL APPROPRIATIONS WHERE RESEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE NATURE.—Section 104(g)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303 (g)(1)) is amended by striking “\$3,000,000 for fiscal year 2001, \$4,000,000 for each of fiscal years 2002 and 2003, and \$6,000,000 for each of fiscal years 2004 and 2005” and inserting the following: “\$6,000,000 for each of fiscal years 2007 through 2011”.

(e) COORDINATION.—Section 104(h)(2) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(h)(2)) is amended—

(1) by striking “(2) REPORT” and inserting “(2) REPORTS”; and

(2) by inserting after the first sentence the following: “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; and

“(C) advances in water infrastructure improvements.”.

(f) ADMINISTRATIVE COSTS.—Section 107 of the Water Resources Research Act of 1984 (42 U.S.C. 10306) is amended by striking “15” and inserting “5”.

PURPOSE OF THE BILL

The purpose of H.R. 4588 is to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Water Resources Research Act of 1984.

BACKGROUND AND NEED FOR LEGISLATION

The Water Resources Research Act of 1964 (Public Law 88–379) originally authorized the establishment of a water resources research and technology institute at each of the 54 land grant colleges in all 50 States, and in the Virgin Islands, Guam, the District of Columbia, and Puerto Rico. The Institutes were charged with: (1) arranging for competent research that addresses water problems or expands understanding of water and water-related phenomena; (2) aiding the entry of new research scientists into the water resources fields; (3) helping to train future water scientists and engineers; and (4) getting results of sponsored research to water managers and the public.

The program is under the general guidance of the Secretary of the Interior, through the U.S. Geological Survey (USGS). In administering the water resources research program, the USGS distributes appropriated funds equally among the Institutes. The Institutes, in turn, award research funds through a competitive, peer review process.

The Water Resources Research Act of 1984 (Public Law 98–242) reauthorized appropriations for the program, and it has since been reauthorized in the 101st, 104th, and 106th Congresses. The current authorization for appropriations expired in fiscal year 2005. Along with reauthorizing the program for an additional five years, at \$12 million per year. In addition, H.R. 4588 requires more focus on applied research and more oversight to ensure that the research has practical applications, improves water supply reliability, and helps resolve water issues.

COMMITTEE ACTION

H.R. 4588 was introduced on December 16, 2005, by Congressman John Doolittle (R-CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Water and Power. On May 10, 2006, the Subcommittee held a hearing on the bill. On July 19, 2006, the Full Resources Committee met to consider the bill. The Subcommittee on Water and Power was discharged from further consideration of the bill by unanimous consent. Congressman George Radanovich (R-CA) offered an amendment in the nature of a substitute to clarify research and report provisions and extend the authorization of appropriations until fiscal year 2011. The amendment was adopted by unanimous consent. The bill, as amended, was then ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section cites the bill as the “Water Resources Research Act Amendments of 2006.”

Section 2. Water Resources Research Act amendments

This section amends the Water Resources Research Act of 1984. The scope of research is changed so each institute shall plan, conduct, or otherwise arrange for competent applied and peer-reviewed research focusing on water supply reliability, resolutions of water problems, entry of new professionals into water resources fields, and dissemination of information to the public. The program will be evaluated every three years, instead of every five years. In addition to extending the authorization of appropriations until fiscal year 2011, it places a five percent cap on administrative costs. This section also requires the Secretary of the Interior to provide a crosscut budget detailing expenditures and a report that details the level of applied research and results of activities authorized under this bill.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources’ oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8, clause 3 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has in-

cluded in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Water Resources Research Act of 1984.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 4588—Water Resources Research Act Amendments of 2006

Summary: H.R. 4588 would authorize the appropriation of \$90 million over the 2007–2011 period to carry out the Water Resources Research Act of 1984. Under that act, the U.S. Geological Survey (USGS) provides grants to research and technology institutes at American colleges and universities for research and education on water resources. The authorization of appropriations for those grants expired at the end of fiscal year 2005; \$6 million was appropriated for this purpose in 2006. The bill also would lower the amount available for administrative costs associated with these grants from 15 percent of the total appropriation to 5 percent.

Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 4588 would cost \$85 million over the 2007–2011 period and an additional \$5 million after that period. Enacting the bill would not affect direct spending or revenues. H.R. 4588 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would benefit institutions of higher education, and any costs they incur would result from complying with conditions of federal assistance.

Estimated cost to the Federal Government: For this estimate, CBO assumes that the authorized amounts will be appropriated for each year and that outlays will follow the historical spending patterns for these grant programs. The estimated budgetary impact of H.R. 4588 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2006	2007	2008	2009	2010	2011
SPENDING SUBJECT TO APPROPRIATION						
Spending for Research Institutes Under Current Law:						
Budget Authority ¹	6	0	0	0	0	0
Estimated Outlays	6	1	0	0	0	0
Proposed Changes:						
Authorization Level	0	18	18	18	18	18

	By fiscal year, in millions of dollars—					
	2006	2007	2008	2009	2010	2011
Estimated Outlays	0	14	16	18	18	18
Spending for Research Institutes Under H.R. 4588:						
Authorization Level ¹	6	18	18	18	18	18
Estimated Outlays	6	15	16	18	18	18

¹The 2006 level is the amount appropriated for that year for USGS grants under the Water Resources Research Act.

Intergovernmental and private-sector impact: H.R. 4588 contained no intergovernmental or private-sector mandates as defined in UMRA. Grant funds reauthorized in the bill would benefit institutions of higher education that participate as research and technology institutes under the Water Resources Act of 1984. The costs of any requirements tied to those grants, including matching funds, would be incurred voluntarily.

Previous CBO estimate: On June 20, 2005, CBO transmitted a cost estimate for S. 1017, the Water Resources Research Act Amendments of 2005, as ordered reported by the Senate Committee on Environment and Public Works on June 8, 2005. The cost estimates for these two bills differ because they authorize different amounts of funding. (S. 1017 authorizes \$94 million over the 2006–2010 period.)

Estimate prepared by: Federal costs: Deborah Reis and Julie Middleton; Intergovernmental impact: Lisa Ramirez-Branum; Impact on the private sector: Craig Cammarata.

Estimate approved by: Robert A. Sunshine, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

WATER RESOURCES RESEARCH ACT OF 1984

TITLE I

* * * * *

SEC. 104. (a) * * *

(b) Each institute shall—

[(1) plan, conduct, or otherwise arrange for competent research that fosters (A) the entry of new research scientists into the water resources fields, (B) the training and education of future water scientists, engineers, and technicians, (C) the preliminary exploration of new ideas that address water problems or expand understanding of water and water-related phe-

nomena, and (D) the dissemination of research results to water managers and the public, and】

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

(A) *improvements in water supply reliability;*

(B) *resolutions of other water problems;*

(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.*

* * * * *

(e) The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 【5】 3 years to determine that the quality and relevance of its water resources research and its effectiveness *at producing measured results and applied water supply research* as an institution for planning, conducting, and arranging for research warrants its continued support under this section. If, as a result of any such evaluation, the Secretary determines that an institute does not qualify for further support under this section, then no further grants to the institute may be made until the institute’s qualifications are reestablished to the satisfaction of the Secretary.

(f)【(1) For the purpose of carrying out this section, there is authorized to be appropriated to the Secretary the sum of \$9,000,000 for fiscal year 2001, \$10,000,000 for each of fiscal years 2002 and 2003, and \$12,000,000 for each of fiscal years 2004 and 2005, such sums to remain available until expended.】

(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 2007 through 2011.*

* * * * *

(g)(1) There is further authorized to be appropriated to the Secretary of the Interior the sum of 【\$3,000,000 for fiscal year 2001, \$4,000,000 for each of fiscal years 2002 and 2003, and \$6,000,000 for each of fiscal years 2004 and 2005】 *\$6,000,000 for each of fiscal years 2007 through 2011* 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 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. Funds made available under this subsection shall remain available until expended.

* * * * *

(h) COORDINATION.—

(1) * * *

【(2) REPORT】 (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 ex-*

penditures 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; and*
- (C) advances in water infrastructure improvements.*

* * * * *

SEC. 107. From the sums appropriated pursuant to this Act, not more than **[15]** 5 per centum shall be utilized for administrative costs.

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