

119TH CONGRESS
2D SESSION

S. _____

To amend the Water Infrastructure Improvements for the Nation Act and the Water Desalination Act of 1996 to reauthorize certain desalination programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. PADILLA (for himself and Mr. CORNYN) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To amend the Water Infrastructure Improvements for the Nation Act and the Water Desalination Act of 1996 to reauthorize certain desalination programs, 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 “Desalination Reauthor-
5 ization Act”.

1 **SEC. 2. DESALINATION PROGRAM REAUTHORIZATION.**

2 (a) DURATION.—Section 4013 of the Water Infra-
3 structure Improvements for the Nation Act (43 U.S.C.
4 390b note; Public Law 114–322) is amended—

5 (1) in the matter preceding paragraph (1), by
6 striking “its enactment” and inserting “enactment
7 of this Act”;

8 (2) in paragraph (1), by striking “the date of
9 its enactment; and” and inserting “that date of en-
10 actment;”; and

11 (3) in paragraph (2), by striking “in sections
12 4007, 4009(a), and 4009(c).” and inserting the fol-
13 lowing: “under section 4007 or the amendment
14 made by section 4009(c); and

15 “(3) projects carried out under paragraph (2)
16 of section 4(a) of the Water Desalination Act of
17 1996 (42 U.S.C. 10301 note; Public Law 104–298)
18 (as amended by section 4009(a)), which shall expire
19 on the date that is 15 years after that date of enact-
20 ment.”.

21 (b) DESALINATION DEMONSTRATION AND DEVELOP-
22 MENT.—Section 4(a)(2) of the Water Desalination Act of
23 1996 (42 U.S.C. 10301 note; Public Law 104–298) is
24 amended by striking subparagraphs (A) and (B) and in-
25 serting the following:

“(A) DEFINITION OF ELIGIBLE DESALINATION PROJECT.—In this paragraph, the term ‘eligible desalination project’ means a project—

“(i)(I) that is located in a Reclamation State; or

“(II) the construction, operation, sponsorship, or funding of which is the responsibility of, and the primary water supply benefit of which accrues to, 1 or more entities in a Reclamation State;

“(ii) that involves an ocean or brackish water desalination facility—

“(I) constructed, operated, and maintained by a State, Indian Tribe, irrigation district, water district, or other organization with water or power delivery authority; or

“(II) sponsored or funded by any combination of a State, department of a State, political subdivision of a State, or public agency organized pursuant to State law, including through direct sponsorship or funding of not less than 25 percent of the planning, design, and construction costs of the

1 project, including through in-kind con-
2 tributions; and

3 “(iii) that provides a Federal benefit
4 in accordance with the reclamation laws
5 (including regulations).

6 “(B) PARTICIPATION BY SECRETARY.—

7 “(i) IN GENERAL.—Subject to the re-
8 quirements of this subsection, the Sec-
9 retary may participate in an eligible desali-
10 nation project in an amount equal to not
11 more than 25 percent of the total cost of
12 the eligible desalination project.

13 “(ii) NO PROJECT COST CAP.—The
14 Secretary shall not impose any dollar limi-
15 tation on participation in an eligible desali-
16 nation project under this subparagraph.”.

17 (c) DESALINATION RESEARCH PROGRAM.—Section 3
18 of the Water Desalination Act of 1996 (42 U.S.C. 10301
19 note; Public Law 104–298) is amended by adding at the
20 end the following:

21 “(f) ADVANCED PILOT TECHNOLOGY GRANTS.—

22 “(1) IN GENERAL.—In order to validate the ef-
23 fective performance of innovations in desalination
24 technologies, including the technologies described in
25 this section, the Secretary shall provide grants on a

1 competitive basis for the development and operation
2 of advanced pilot desalination technologies and first-
3 of-a-kind systems in realistic operating environments
4 for purposes of establishing technical feasibility and
5 validating the technical performance and levelized
6 cost of processes for—

7 “(A) converting saline water, brackish
8 water, seawater, or wastewater into usable
9 water; and

10 “(B) cost-effectively treating, managing, or
11 disposing of brine discharges.

12 “(2) TECHNOECONOMIC ANALYSES.—In admin-
13 istering grants under this subsection, the Secretary
14 shall ensure that all advanced pilot system studies
15 include rigorous and quantitative technoeconomic
16 analyses in order to estimate the levelized cost of
17 water produced by those systems at full scale.

18 “(3) ENGAGEMENT OF OTHERS;
19 PRIORITIZATION.—Subsections (c) and (e) shall
20 apply to grants provided under this subsection.”.

21 (d) COST SHARING.—Section 7 of the Water Desali-
22 nation Act of 1996 (42 U.S.C. 10301 note; Public Law
23 104–298) is amended, in the first sentence, by striking
24 “study, or” and inserting “study, advanced pilot, or”.