

**The original documents are located in Box 47, folder “6/22/76 HR11559 Appropriation Authorization for the Saline Water Conversion Program for FY 1977” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.**

### **Copyright Notice**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Exact duplicates within this folder were not digitized.

86/22/76

APPROVED  
JUN 22 1976

THE WHITE HOUSE  
WASHINGTON  
June 21, 1976

ACTION  
Last Day: June 23

Posted  
6/23/76  
archives  
6/23/76

MEMORANDUM FOR  
FROM:  
SUBJECT:

THE PRESIDENT  
JIM CANNON ~~88~~  
H.R. 11559 - Appropriation  
Authorization for the Saline  
Water Conversion Program  
for Fiscal Year 1977

Attached for your consideration is H.R. 11559, sponsored by Representative Johnson and seven others.

The enrolled bill would authorize appropriations in the amount of \$7,540,000 to be used by the Office of Water Research and Technology in the Department of the Interior for activities under the Saline Water Conversion Act of 1971 during FY 77.

A discussion of the provisions of the enrolled bill is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus), Bill Seidman and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 11559 at Tab B.





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

JUN 17 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11559 - Appropriation  
authorization for the saline water  
conversion program for fiscal year  
1977

Sponsors - Rep. Johnson (D) California  
and 7 others

Last Day for Action

June 23, 1976 - Wednesday

Purpose

To authorize appropriations in the amount of  
\$7,540,000 to be used by the Office of Water  
Research and Technology (OWRT) in the Department  
of the Interior for activities under the Saline  
Water Conversion Act of 1971 during fiscal year  
1977.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Commerce	No objection
Department of Justice	Defers to Interior and OMB

Discussion

Appropriations to carry out the on-going desalting  
program conducted by the Department of the Interior  
are authorized annually under the Saline Water  
Conversion Act of 1971. H.R. 11559 provides such  
authorization in the amount of \$7,540,000 for fiscal

year 1977. Under the bill, this authorization is the total of a number of specific amounts authorized for prescribed purposes including research, testing, development, and the operation of government-owned test facilities including those at Wrightsville Beach, North Carolina and Roswell, New Mexico.

The enrolled bill differs from legislation proposed by the Administration under which combined appropriation authorizations would be provided for a reorganized Interior agency which would conduct both the saline water program and the program authorized under the Water Resources Research Act of 1964. Although the reorganization has been accomplished administratively, H.R. 11559 fails to consolidate the appropriation authorizations for the two programs and the saline water program mix authorized differs significantly from that recommended by the Administration. More specifically, the mix in the bill would continue activities the Administration desired to phase out - brackish waters and freezing technology and the test facilities at Roswell and Wrightsville Beach.

It is the continued operation of the test facilities that is the most objectionable aspect of the enrolled bill. They have outlived their usefulness and have been scheduled for termination by the Department of the Interior. While your approval of the enrolled bill would involve the continued operation of these facilities in fiscal year 1977, you will have another opportunity to review and possibly terminate their operation in the fiscal year 1978 budget process.

The Department of the Interior, in its letter on the enrolled bill, states:

"We recommend that the President sign enrolled bill H.R. 11559. The congressionally approved program does continue a number of desirable

projects. That program includes [ a ] certain significant items approved and recommended by the Administration including a new Administration initiative, water reuse. The funds authorized are not significantly greater than those proposed by the President to be authorized. The Administration's program has not obtained favorable Congressional action and the bill includes the patent articles favored by the Administration."

We agree with the basic thrust of Interior's comments. Despite our objections to the program mix recommended in the bill, the bill is itself evidence of the general success of Administration reform efforts on the desalting program over the last few years. With respect to the water resources research program, Interior's enrolled bill letter notes that the failure to enact the Administration's proposal leaves a gap in the fiscal year 1977 authorization for that program. However, a substantial portion of this program continues to be authorized under existing law, and this existing authority can be utilized to accomplish the major purposes (State grants) of the lapsed authorization. Accordingly, we do not regard this defect as serious and believe that corrective action can be deferred until preparation of the 1978 budget.

*James M. Frey*  
Assistant Director for  
Legislative Reference

Enclosures

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

To: J. Carver  
6-18-76  
9:30 a.m.

JUN 17 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11559 - Appropriation authorization for the saline water conversion program for fiscal year 1977  
Sponsors - Rep. Johnson (D) California and 7 others

Last Day for Action

June 23, 1976 - Wednesday

Purpose

To authorize appropriations in the amount of \$7,540,000 to be used by the Office of Water Research and Technology (OWRT) in the Department of the Interior for activities under the Saline Water Conversion Act of 1971 during fiscal year 1977.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Commerce	No objection
Department of Justice	Defers to Interior and OMB

Discussion

Appropriations to carry out the on-going desalting program conducted by the Department of the Interior are authorized annually under the Saline Water Conversion Act of 1971. H.R. 11559 provides such authorization in the amount of \$7,540,000 for fiscal

## THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 18

Time: 1100am

FOR ACTION: George Humphreys *lh*  
 Max Friedersdorf *on* cc (for information): Jack Marsh  
 Ken Lazarus *on* Jim Cavanaugh  
~~Bill Goldman~~ Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: June 18

Time: 530pm

SUBJECT:

H.R. 11559-Appropriations for the saline water  
 conversion program for fy 77

## ACTION REQUESTED:

<input type="checkbox"/> For Necessary Action	<input type="checkbox"/> For Your Recommendations
<input type="checkbox"/> Prepare Agenda and Brief	<input type="checkbox"/> Draft Reply
<input checked="" type="checkbox"/> For Your Comments	<input type="checkbox"/> Draft Remarks

## REMARKS:

Please return to Judy Johnston

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.  
 For the President



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

JUN 11 1976

Dear Mr. Lynn:

This responds to your request for the views of this Department with respect to an enrolled bill, H.R. 11559, "To authorize appropriations for the saline water conversion program for fiscal year 1977."

Although we have reservations concerning the bill, we recommend that the bill be enacted.

The bill would authorize \$7,540,000 to carry out activities under the Saline Water Conversion Act of 1971 (P.L. 92-60; 85 Stat. 159) for fiscal year 1977. Authorized expenditures include the following specific amounts:

- (a) Water Resources Research:
  - (1) Saline Water Conversion Process Research, \$800,000; and
  - (2) Water Reuse Research and Planning, \$1,200,000.
- (b) Technology Development:
  - (1) Seawater Membrane Development, \$1,600,000;
  - (2) Water Reuse Technology Development and Testing, \$500,000;
  - (3) Technology Transfer, \$300,000;
  - (4) Brackish Water Membrane Development and Testing, \$750,000; and
  - (5) Freezing Technology Development and Testing, \$850,000.
- (c) Test Facility Operation and Maintenance:
  - (1) Brackish Water Test Facility, \$400,000; and
  - (2) Seawater Test Facility, \$300,000.
- (d) Administration and Coordination, \$840,000.

Adjustments of not more than 10% are allowed for items under (a) and (b).

Section 3 of the bill would adapt and apply to the Saline Water Conversion Act of 1971, and to the Water Resources Research Act of 1964 (P.L. 88-379; 42 U.S.C. 1961), as amended, the patent provisions enacted for the Federal Non-Nuclear Energy, Research, and Development Act of 1974 (42 U.S.C. 5908). These provisions are substantially identical to those proposed by the Administration as an amendment





to the Water Resources Research Act and we believe they will encourage cost-sharing on the part of the industry and will move the technology more rapidly to the marketplace for practical application.

The bill is not entirely in accord with the Administration's proposed program for water research for fiscal year 1977, but it contains significant elements of it, in addition to the desirable patent provisions mentioned above. The Administration requested funds for six of the ten items authorized by the bill, and the amount actually authorized by H.R. 11559, \$7,540,000 compares reasonably to the \$6,940,000 requested by the President. Items not requested by the President include the brackish water and freezing technology programs and funds for the continued operation of the Roswell, New Mexico, and Wrightsville Beach, North Carolina test facilities.

The bill does not authorize funds for Title II, Additional Water Resources Research, of the Water Resources Research Act, which was requested by the Administration, but remains unauthorized for fiscal year 1977. The Water Resources Research Act of 1964 as amended authorizes \$10 million for each fiscal year 1972 through 1976. While certain programs that might otherwise be funded under Title II of that Act have been authorized under H.R. 11559, there remains a significant gap in our program for fiscal year 1977. H.R. 11559 confers authority solely pursuant to the Saline Water Conversion Act of 1971, which by its terms will expire with fiscal year 1977.

During fiscal year 1975 the Department and the Administration made an organizational change which was considered to be efficient and desirable, by combining the Office of Saline Water and the Office of Water Resources Research to form the Office of Water Research and Technology (OWRT). Those offices formerly administered programs under the Saline Water Conversion Act of 1971 and the Water Resources Research Act of 1964, respectively. In the President's budgets for fiscal years 1976 and 1977, combined requests to administer programs under those Acts were made to reflect the administrative reorganization.

In March, 1975, this Department forwarded to the Congress a proposed bill, "To promote a more comprehensive national program for water resources research and technology development, to reorganize certain functions in the Department of the Interior, and for other purposes." The bill was formally introduced in the Senate as S. 1301 but was never introduced in the House. The Senate Committee on Interior and Insular Affairs Subcommittee on Energy Research and Water Resources held an overview hearing on July 11, 1975. No further action was taken on this bill. S. 1301 would recognize legislatively the reorganization and the formation of the new

Office of Water Research and Technology to perform functions authorized by the Saline Water Conversion Act and the Water Resources Research Act. The bill provides for an expanded technology development program which encompasses desalting technology development, but additionally provides authorization to pursue, through technology development program actions, the results of other water-related research. The bill would also extend authorities under the Water Resources Research Act which expire at the end of fiscal year 1976, and have not been extended by H.R. 11559. The proposed bill included the patent amendments previously discussed.

While the Department and the Administration fully support S. 1301 and urged upon the Congress the desirability of prompt, favorable action on it, it appears likely that no further action on S. 1301 will take place.

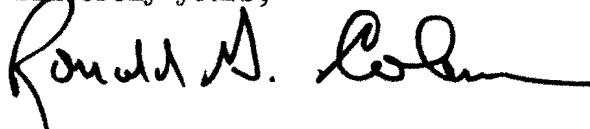
On January 28, 1976, the House Committee on Interior and Insular Affairs, Subcommittee on Water and Power Resources introduced H.R. 11559, to authorize appropriations for the saline water conversion program for fiscal year 1977 and for other purposes. At hearings held on that bill on February 27, 1976, by the Subcommittee, the Department urged the Congress to enact the Administration bill instead of H.R. 11559. The House bill, as originally passed in the House authorized expenditures of \$9,700,000. That figure was amended by the Senate Interior Committee to \$7,090,000, but was subsequently revised on the Senate floor to \$7,540,000.

We note that the bill as presented to us contains a significant inconsistency in that the total funds stated to be authorized are \$7,090,000, whereas the sum of the itemized components equals \$7,540,000. Based upon the legislative history, we believe that \$7,540,000 is the figure intended and finally agreed upon by both Houses. The \$7,090,000 reported out by the Senate Interior Committee, was amended on the Senate floor. Apparently the clerk of either or both Houses failed to properly accommodate the language of the bill to conform to action taken in the Senate. We have been advised by House Committee staff that we should consider H.R. 11559 as an engrossed bill at this time and that a properly conformed enrolled bill with the total figure of \$7,540,000 is being prepared and will be sent presently. (H. Con. Res. 652).

We recommend that the President sign enrolled bill H.R. 11559. The Congressionally approved program does continue a number of desirable projects. That program includes a certain significant

items approved and recommended by the Administration including a new Administration initiative, water reuse. The funds authorized are not significantly greater than those proposed by the President to be authorized. The Administration's program has not obtained favorable Congressional action and the bill includes the patent articles favored by the Administration.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Ronald M. Cohen". The signature is fluid and cursive, with a long horizontal stroke at the end.

**Assistant** Secretary of the Interior

Honorable James T. Lynn  
Director, Office of  
Management and Budget  
Washington, D. C.



**GENERAL COUNSEL OF THE  
UNITED STATES DEPARTMENT OF COMMERCE**  
Washington, D.C. 20230

**JUN 10 1976**

Honorable James T. Lynn  
Director, Office of Management  
and Budget  
Washington, D. C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Lynn:

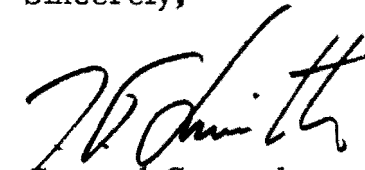
This is in reply to your request for the views of this Department concerning H.R. 11559, an enrolled enactment

"To authorize appropriations for the saline water conversion program for fiscal year 1977."

This Department would have no objection to approval by the President of H.R. 11559.

Enactment of this legislation would not involve the expenditure of any funds by this department.

Sincerely,

  
General Counsel



**Department of Justice**  
**Washington, D.C. 20530**

June 10, 1976

Honorable James T. Lynn  
Director, Office of Management  
and Budget  
Washington, D. C. 20503

Dear Mr. Lynn:

In compliance with your request, I have examined a facsimile of the enrolled bill (H.R. 11559), "To authorize appropriations for the saline water conversion program for the fiscal year 1977."

The enrolled bill would authorize appropriations to carry out provisions of the Saline Water Conversion Act of 1971.

The Department of Justice defers to the Department of Interior and the Office of Management and Budget with regard to Executive approval of this measure.

Sincerely,



Michael M. Uhlmann  
Assistant Attorney General

THE WHITE HOUSE

WASHINGTON

June 18, 1976

MEMORANDUM FOR: JIM CAVANAUGH  
FROM: MAX L. FRIEDERSDORF *M.L.F.*  
SUBJECT: HR 11559 - Appropriations for the saline water  
conversion program for fy 77

The Office of Legislative Affairs concurs with the agencies  
that the subject bill be signed.

Attachments

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 18

Time: 1100am

FOR ACTION: George Humphreys  
Max Friedersdorf  
Ken Lazarus

cc (for information): Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: June 18

Time: 530pm

SUBJECT:

H.R. 11559-Appropriations for the saline water  
conversion program for fy 77

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston

No objection -- Ken Lazarus 6/18/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a  
delay in submitting the required material, please  
telephone the Staff Secretary immediately.

James M. Cannon  
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: June 18

Time: 1100am

FOR ACTION: George Humphreys  
Max Friedersdorf  
Ken Lazarus

cc (for information): Jack Marsh  
Jim Cavanaugh  
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: June 18

Time: 530pm

SUBJECT:

H.R. 11559-Appropriations for the saline water conversion program for fy 77

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston

*I concur with oral -*  
*[Signature]*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
For the President



6/18

Judy

—

Kate



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

DATE: 6-18-76

TO: Bob Linder

FROM: Jim Frey

Attached is the Senate Report  
No. 94-807, for inclusion  
in the enrolled bill file on  
H.R. 11559.

AUTHORIZING APPROPRIATIONS FOR THE SALINE  
WATER CONVERSION PROGRAM FOR FISCAL YEAR  
1977

MAY 11, 1976.—Ordered to be printed

Mr. METCALF, from the Committee on Interior and Insular Affairs,  
submitted the following

REPORT

[To accompany H.R. 11559]

The Committee on Interior and Insular Affairs, to which was referred the act, H.R. 11559, to authorize appropriations for the saline water conversion program for fiscal year 1977, having considered the same, reports favorably thereon with amendment and recommends that the act, as amended, do pass.

The amendments are as follows:

1. On page 1, lines 5 and 6, strike "\$9,700,000" and insert in lieu thereof "\$7,090,000";
2. On page 1, lines 10 and 11, strike "\$2,100,000" and insert in lieu thereof "\$1,200,000";
3. On page 2, lines 2 and 3, strike "\$1,200,000" and insert in lieu thereof "\$1,150,000";
4. On page 2, line 5, strike "\$1,600,000" and insert in lieu thereof "\$500,000";
5. On page 2, line 6, strike "\$600,000" and insert in lieu thereof "\$300,000";
6. On page 2, line 8, strike "\$800,000" and insert in lieu thereof "\$750,000";
7. On page 2, line 10, strike "\$900,000" and insert in lieu thereof "\$850,000"; and
8. On page 2, line 14, strike "\$1,000,000" and insert in lieu thereof "\$840,000".

PURPOSE OF LEGISLATION

The purpose of this Act is to authorize appropriations to be used Office of Water Research and Technology to carry out the purpose of the Saline Water Conversion Act of 1971, as amended (85 Stat. 159) during fiscal year 1977.

## BACKGROUND AND NEED

The Congress in 1952 authorized the Secretary of the Interior to initiate a research and development program with the objective of developing low-cost methods for desalting sea and brackish waters for beneficial consumptive purposes. Through fiscal year 1967, the program operated under two basic authorizations: (1) authority to conduct general research and development (Saline Water Act of 1952, 66 Stat. 328, as amended); (2) authority to construct, operate, and maintain demonstration desalting plants (72 Stat. 1706).

In 1967, legislation was enacted (81 Stat. 78) to consolidate the earlier measures under the title "Saline Water Conversion Act." It has since been the policy to authorize appropriations for the program on an annual basis.

The Saline Water Conversion Act of 1971 (85 Stat. 159), is the current enabling act for the program. It authorizes a program, subject to annual authorizations of appropriations, through fiscal year 1977 with a subsequent 3-year phaseout program.

Within the Department of the Interior, responsibility for the program has been shifted through a number of organizational positions.

During fiscal year 1975 the Department of the Interior merged the Office of Saline Water, which formerly administered the Saline Water Resources Research, and the Office of Water Resources Research which administered research programs under the Water Resources Research Act. The consolidated agency that resulted from the merger is known as the Office of Water Research and Technology. In the President's budget for fiscal year 1976 and fiscal year 1977 funds to administer the merged programs have been requested in a combined budget request. Legislation to merge the two programs has not been enacted by the Congress and it is, therefore, necessary to authorize, specifically, the appropriations required for carrying out the saline water research and development component of the consolidated program.

Up to and including fiscal year 1973, the Department of the Interior requested, and the Congress authorized and appropriated, funds in the amount of \$25 million to \$30 million dollars annually. Commencing with fiscal year 1974, and extending to the current time, the Administration has reduced its request sharply. In fiscal year 1974 approximately \$10 million was requested—in fiscal years 1975, 1976 and 1977 less than \$5 million has been requested annually by the Executive Branch.

Activities carried out under the Saline Water Conversion Act of 1971 have been instrumental in advancing the state of the desalting art. But the budget request for F.Y. 1977 proposed by the Department of the Interior for the desalting program represents a decision to proceed with the termination of this program. During the last several years the Department of Interior has argued that desalting processes are sufficiently advanced to be taken over by private industry. This major redirection in the program represents a reversal of the Department's and the Administration's support for a strong, continuing desalting effort at the time the program was revised and extended by the 1971 Act. As a result of this change in attitude minimal efforts are be-

ing carried out on research in sea water membranes and freezing processes.

The main objective of the membrane program has been toward the development of the reverse osmosis process for desalination of sea water in one pass. Significant advances made in this area include: (1) Improvement in high-flux membranes; (2) evaluation of pre-treatment systems to provide feed to the reverse osmosis process; and (3) development of an instrument to automatically monitor the clarity of the pretreated sea water. In parallel with efforts to improve the performance of sea water reverse osmosis membranes, efforts to develop larger components have been emphasized. Membrane technologies are contemplated as a significant part of the solution to the salinity problem of the Colorado River. In this instance, there is a recognized need for further research and development to enhance the effectiveness and efficiency of the desalting plant to reduce the quality of waste from the facility and to minimize operating costs through extended component life and energy requirements.

Work has also been conducted on the application of high temperature electro dialysis to sea water desalting. It has already been determined that this process could be competitive with other conversion techniques and a broader program is justified in this area to determine commercial feasibility.

The freezing process for desalting sea water has definite advantages over the distillation process from the standpoint of thermal pollution, corrosion and scale, and estimated power consumption. In spite of these advantages commercialization has been very slow due to its relatively low level of development and to equipment problems experienced with certain components. Additional work needs to be done to bring the freezing process for desalting sea water to commercial utilization.

The Administration's position regarding membrane processes and the freezing process appears to be that private investments can now be made in the development of these processes without further major public support. This Act reflects a Congressional attitude that support in these areas is still warranted and justified.

## LEGISLATIVE HISTORY

H.R. 11559 was introduced by Congressman Harold Johnson and others. The bill passed the House of Representatives on April 5, 1976 and was forwarded to the Senate on April 6, 1976.

## COMMITTEE RECOMMENDATION

The Senate Committee on Interior and Insular Affairs, in open business session on May 5, 1976, by unanimous vote of a quorum present recommends that the Senate pass H.R. 11559.

## COMMITTEE AMENDMENTS

The Committee adopted an amendment to reduce the overall authorizations sought in H.R. 11559 from \$9,700,000 to \$7,090,000. The Committee amendment made the following specific changes:

Budget activity:	Program comparison	
	Senate Interior Committee Amendment	H.R. 11559
(a) Water resources research:		
(1) Saline water conversion process research.....	\$800	\$800
(2) Water reuse research and planning.....	1,200	2,100
(b) Technology development:		
(1) Seawater membrane development.....	1,150	1,200
(2) Water reuse technology development and testing.....	500	1,600
(3) Technology transfer.....	300	600
(4) Brackish water membrane development and testing.....	750	800
(5) Freezing technology development and testing.....	850	900
(c) Test facility operation and maintenance:		
(1) Brackish water test facility.....	400	400
(2) Seawater test facility.....	300	300
(d) Administration and coordination.....	840	1,000
Total.....	7,090	9,700

### SECTION BY SECTION ANALYSIS

Section 1 of H.R. 11559 authorizes specific sums for designated categories of work in the aggregate amount of \$7,090,000 as follows:

(a) Water Resources Research:

(1) *Saline Water Conversion Process Research*—\$800,000.—This is a budgeted item under which research would continue toward development of seawater membranes capable of converting feed water in a single pass at lower pressures and at greater rates than is now possible.

(2) *Water Reuse Research and Planning*—\$1,200,000.—This is a budgeted item which, when taken with category (b) (2) below, represents a major new program thrust. The Saline Water Conversion Act of 1971 authorizes the Secretary of the Interior to engage in research and development on processes and procedures for the treatment of chemically contaminated water in the interest of making them suitable for reuse for various needs. This program differs from the traditional saline water program in that it is oriented toward reclamation of waters which have been contaminated or rendered useless through the works of man—whereas the saline water program has been concerned with saline and brackish water occurring in nature.

(b) Technology Development:

(1) *Sea Water Membrane Development*—\$1,150,000.—This item was budgeted in the President's budget at the level of \$1,000,000 and was increased by the Committee amendment to the level of \$1,150,000. The \$150,000 increase is for development of such processes as high temperature electro dialysis for desalting sea water. This process is especially attractive as an economical alternative to the reverse osmosis process.

(2) *Water Reuse Technology Development and Testing*—\$500,000.—This is a budget item for the development and testing of process technology at actual field locations where contaminated feed water exists.

(3) *Technology Transfer*—\$300,000.—This is a budgeted item intended to be used in disseminating research and development results into practical operating situations. This will be done

through meetings, use of media, seminars, and the preparation and distribution of handbooks, brochures and evaluation reports.

(4) *Brackish Water Membrane Development and Testing*—\$750,000.—This item is not included in the President's budget but has been included by the Committee as justified and necessary to further refine the state of the art for brackish water application.

(5) *Freezing Technology Development and Testing*—\$850,000.—This item was omitted from the President's budget but has been added to the program by Committee amendment in the interest of further refinement and testing of seawater conversion by freezing.

(c) *Test Facility Operation and Maintenance*—\$700,000.—These funds have been added to the bill for the specific purpose of operating and maintaining the existing Test Facilities in New Mexico and North Carolina. The Committee is aware of plans being promulgated for the closure and disposition of these facilities and hereby expresses its desire that these facilities be kept under Departmental custody.

(d) *Administration and Coordination*—\$840,000.—This item was budgeted at the level of \$840,000 to provide funding for staffing of programs added to the bill as set out above.

Section 2 of the bill provides latitude to the Secretary to adjust among the research and development items by not more than 10 percent. An increase in an item must be accompanied by a decrease by like amount in some other category of research and development expense. The Committee does not intend that the Secretary have latitude to reduce the funds authorized to be appropriated for Test Facility Operation and Maintenance or to use these funds for any other purpose.

Section 3 applies by reference the provisions of section 9 of the Federal Nonnuclear Energy Research and Development Act of 1974 relative to the waiver of U.S. rights to inventions and patents arising out of federally funded water research and development projects. By reference to Section 10 of that Act, it also applies the provisions of all appropriate antitrust laws. A proviso excludes subsection (1) of Section 9 of the E.R.D.A. Act which applies primarily to E.R.D.A. nuclear function, and subsection (n) which required reports that are no longer necessary.

### COST AND BUDGETARY CONSIDERATIONS

H.R. 11559, as amended by the Senate Interior Committee, authorizes the appropriation of \$7,090,000 for the Saline Water Conversion Program. As required by the Legislative Reorganization Act of 1970, as amended, the Committee's estimate of the cost of carrying out the proposed measure (H.R. 11559) for the 5 fiscal years beginning with the fiscal year 1977 is as follows:

Fiscal year:	Authorization levels	Expenditures
1977.....	\$7,090,000	\$4,430,000
1978.....		2,220,000
1979.....		440,000
Total.....	7,090,000	7,090,000

This estimate is based upon a definite authorization level with the only issue being the spend-out rate. There are four different types of expenditures—research, technology development, test facility operations and management, and administration. Saline water research programs are allotted \$2.2 million and have a three-year expected spend-out pattern of 40 percent, 40 percent and 20 percent. Technology development is authorized at a \$3,350,000 level with 60 percent of the total assumed to be expended in the first year and the remainder in the second year. The rest of the authorized amount \$1,540,000 will be entirely spent in the year in which the funds are appropriated.

#### EXECUTIVE COMMUNICATION

The report of the Department of the Interior to the House of Representatives Committee on Interior and Insular Affairs is set forth below:

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., February 26, 1976.*

Hon. JAMES A. HALEY,  
*Interior and Insular Affairs,  
U.S. House of Representatives,  
Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department with respect to a bill, H.R. 11559, "To authorize appropriations for the saline water conversion program for fiscal year 1977 and for other purposes."

We recommend in lieu of H.R. 11559, the enactment of a legislative proposal we forwarded to you on March 10, 1975, "To promote a more comprehensive national program for water resources research and technology development to reorganize certain functions in the Department of the Interior, and for other purposes." The proposed legislation has been introduced in the Senate as S. 1301 but has not yet been introduced in the House.

The saline water program, originally authorized by the Saline Water Conversion Act of 1971, Public Law 92-60, would be continued by H.R. 11559, but to the exclusion of other programs.

In addition to the saline water program and some new initiatives, there remains to be authorized funds to be appropriated for Title II, Additional Water Resources Research, of the Water Resources Research Act of 1964, (Public Law 88-379) as amended. Unless S. 1301 or other legislation is enacted our water resources research program will terminate after nine years of work on the nation's critical water problems. This program is also an important adjunct to the State water resources research institute activity.

The administration proposal, S. 1301 provides for annual appropriation acts without annual legislative authorizations, and will provide authority for new technology development initiatives in the future to better assure that the results of completed water resources research are developed to the stage where they can be applied by others to solve water and water-related problems. The bill also includes a new

patent provision very similar to the ERDA patent provision and will allow OWRT to move technology developed to industry for use in systems that will be put into application to solve water and water-related problems. The proposed legislation would authorize the continuance of the water resources research program as well as the saline water conversion programs and would allow us to begin a proposed new initiative in the area of water reuse and to begin a program on water resources technology development.

We have recently proposed a program for fiscal year 1977 based on the outlines provided in S. 1301. It represents our assessment of the problems and it has been evaluated along with other important programs and priorities. There may be other approaches, and we will do our best to follow the guidance of this Committee, but we ask that specific programs be left to the judgment of our scientific and technical staff.

We urge this Committee and the Congress to give prompt attention to the Administration's proposed legislation.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

JAMES T. CLARKE,  
*Secretary of the Interior.*

#### CHANGES IN EXISTING LAW

In accordance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law recommended by the act accompanying this report are to be noted. However, this act contemplates no changes in existing laws.

H. R. 11559

# Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,  
one thousand nine hundred and seventy-six*

## An Act

To authorize appropriations for the saline water conversion program for fiscal year 1977.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is authorized to be appropriated, to carry out the provisions of the Saline Water Conversion Act of 1971 (85 Stat. 159) during fiscal year 1977 the sum of \$7,540,000, to remain available until expended as follows:

- (a) Water Resources Research:
  - (1) Saline Water Conversion Process Research, \$800,000; and
  - (2) Water Reuse Research and Planning, \$1,200,000.
- (b) Technology Development:
  - (1) Seawater Membrane Development, \$1,600,000;
  - (2) Water Reuse Technology Development and Testing, \$500,000;
  - (3) Technology Transfer, \$300,000;
  - (4) Brackish Water Membrane Development and Testing, \$750,000; and
  - (5) Freezing Technology Development and Testing, \$850,000.
- (c) Test Facility Operation and Maintenance:
  - (1) Brackish Water Test Facility, \$400,000; and
  - (2) Seawater Test Facility, \$300,000.
- (d) Administration and Coordination, \$840,000.

SEC. 2. Expenditures and obligations under any item authorized by subsections (a) and (b) of section 1 may be increased by not more than 10 per centum if any such increase is accompanied by a corresponding decrease in expenditures and obligations in one or more items authorized to be appropriated by said subsections (a) and (b) of section 1.

SEC. 3. Relative to the definition of, title to, and licensing of inventions made or conceived in the course of or under any contract or grant pursuant to the Water Resources Research Act of 1964 (42 U.S.C. 1961) or the Saline Water Conversion Act of 1971 (42 U.S.C. 1959), and notwithstanding any other provision of law, the Secretary shall be governed by the provisions of sections 9 and 10 of the Federal Non-nuclear Energy, Research, and Development Act of 1974 (42 U.S.C. 5908): *Provided, however,* That subsections (l) and (n) of said section 9 of said Act shall not apply to this Act.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*

June 11, 1976

Dear Mr. Director:

The following bills were received at the White House on June 11th:

H.J. Res. 92 ✓  
H.R. 11559 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

The Honorable James T. Lynn  
Director  
Office of Management and Budget  
Washington, D.C.