

Public Law 88-379

AN ACT

July 17, 1964
[S. 2]

To establish water resources research centers, to promote a more adequate national program of water research, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Water Resources Research Act of 1964."

Water Re-
sources Re-
search Act
of 1964.

(b) In order to assist in assuring the Nation at all times of a supply of water sufficient in quantity and quality to meet the requirements of its expanding population, it is the purpose of the Congress, by this Act, to stimulate, sponsor, provide for, and supplement present programs for the conduct of research, investigations, experiments, and the training of scientists in the fields of water and of resources which affect water.

TITLE I—STATE WATER RESOURCES RESEARCH INSTITUTES

SEC. 100. (a) There are authorized to be appropriated to the Secretary of the Interior for the fiscal year 1965 and each subsequent year thereafter sums adequate to provide \$75,000 to each of the several States in the first year, \$87,500 in each of the second and third years, and \$100,000 each year thereafter to assist each participating State in establishing and carrying on the work of a competent and qualified water resources research institute, center, or equivalent agency (hereinafter referred to as "institute") at one college or university in that State, which college or university shall be a college or university established in accordance with the Act approved July 2, 1862 (12 Stat. 503), 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 some other institution designated by Act of the legislature of the State concerned: *Provided*, That (1) if there is more than one such college or university in a State, established in accordance with said Act of July 2, 1862, funds under this Act shall, in the absence of a designation to the contrary by act of the legislature of the State, be paid to the one such college or university designated by the Governor of the State to receive the same subject to the Secretary's determination that such college or university has, or may reasonably be expected to have, the capability of doing effective work under this Act; (2) two or more States may cooperate in the designation of a single interstate or regional institute, in which event the sums assignable to all of the cooperating States shall be paid to such institute; and (3) a designated college or university may, as authorized by appropriate State authority, arrange with other colleges and universities within the State to participate in the work of the institute.

Appropriation.

7 USC 301-
308.

(b) It shall be the duty of each such institute to plan and conduct and/or arrange for a component or components of the college or university with which it is affiliated to conduct competent research, investigations, and experiments of either a basic or practical nature, or both, in relation to water resources and to provide for the training of scientists through such research, investigations, and experiments. Such research, investigations, experiments, and training may include, without being limited to, aspects of the hydrologic cycle; supply and demand for water; conservation and best use of available supplies of water; methods of increasing such supplies; and economic, legal, social, engineering, recreational, biological, geographic, ecological, and other aspects of water problems, having due regard to the varying conditions

and needs of the respective States, to water research projects being conducted by agencies of the Federal and State Governments, the agricultural experiment stations, and others, and to avoidance of any undue displacement of scientists and engineers elsewhere engaged in water resources research.

Matching funds.

SEC. 101. (a) There is further authorized to be appropriated to the Secretary of the Interior for the fiscal year 1965 and each subsequent year thereafter sums not in excess of the following: 1965, \$1,000,000; 1966, \$2,000,000; 1967, \$3,000,000; 1968, \$4,000,000; and 1969 and each of the succeeding years, \$5,000,000. Such moneys when appropriated, shall be available to match, on a dollar-for-dollar basis, funds made available to institutes by States or other non-Federal sources to meet the necessary expenses of specific water resources research projects which could not otherwise be undertaken, including the expenses of planning and coordinating regional water resources research projects by two or more institutes.

Applications for grants.

(b) Each application for a grant pursuant to subsection (a) of this section shall, among other things, state the nature of the project to be undertaken, the period during which it will be pursued, the qualifications of the personnel who will direct and conduct it, the importance of the project to the water economy of the Nation, the region, and the State concerned, its relation to other known research projects theretofore pursued or currently being pursued, and the extent to which it will provide opportunity for the training of water resources scientists. No grant shall be made under said subsection (a) except for a project approved by the Secretary, and all grants shall be made upon the basis of the merit of the project, the need for the knowledge which it is expected to produce when completed, and the opportunity it provides for the training of water resources scientists.

Payments.

SEC. 102. Sums available to the States under the terms of sections 100 and 101 of this Act shall be paid to their designated institutes at such times and in such amounts during each fiscal year as determined by the Secretary, and upon vouchers approved by him. Each institute shall have an officer appointed by its governing authority who shall receive and account for all funds paid under the provisions of this Act and shall make an annual report to the Secretary on or before the 1st day of September of each year, on work accomplished and the status of projects underway, together with a detailed statement of the amounts received under any of the provisions of this Act during the preceding fiscal year, and of its disbursement, on schedules prescribed by the Secretary. If any of the moneys received by the authorized receiving officer of any institute under the provisions of this Act shall by any action or contingency be found by the Secretary to have been improperly diminished, lost, or misapplied, it shall be replaced by the State concerned and until so replaced no subsequent appropriation shall be allotted or paid to any institute of such State.

Funds for printing, etc.

SEC. 103. Moneys appropriated pursuant to this Act, in addition to being available for expenses for research, investigations, experiments, and training conducted under authority of this Act, shall also be available for printing and publishing the results thereof and for administrative planning and direction. The institutes are hereby authorized and encouraged to plan and conduct programs financed under this Act in cooperation with each other and with such other agencies and individuals as may contribute to the solution of the water problems involved, and moneys appropriated pursuant to this Act shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research.

SEC. 104. The Secretary of the Interior is hereby charged with the responsibility for the proper administration of this Act and, after full consultation with other interested Federal agencies, shall prescribe such rules and regulations as may be necessary to carry out its provisions. He shall require a showing that institutes designated to receive funds have, or may reasonably be expected to have, the capability of doing effective work. He shall furnish such advice and assistance as will best promote the purposes of this Act, participate in coordinating research initiated under this Act by the institutes, indicate to them such lines of inquiry as to him seem most important, and encourage and assist in the establishment and maintenance of cooperation by and between the institutes and between them and other research organizations, the United States Department of the Interior, and other Federal establishments.

Secretary of the Interior, responsibility.

On or before the 1st day of July in each year after the passage of this Act, the Secretary shall ascertain whether the requirements of section 102 have been met as to each State, whether it is entitled to receive its share of the annual appropriations for water resources research under section 100 of this Act, and the amount which it is entitled to receive.

The Secretary shall make an annual report to the Congress of the receipts and expenditures and work of the institutes in all States under the provisions of this Act. His report shall indicate whether any portion of an appropriation available for allotment to any State has been withheld and, if so, the reasons therefor.

Report to Congress.

SEC. 105. Nothing in this Act shall be construed to impair or modify the legal relation existing between any of the colleges or universities under whose direction an institute is established and the government of the State in which it is located, and nothing in this Act shall in any way be construed to authorize Federal control or direction of education at any college or university.

TITLE II—ADDITIONAL WATER RESOURCES RESEARCH PROGRAMS

SEC. 200. There is authorized to be appropriated to the Secretary of the Interior \$1,000,000 in fiscal year 1965 and \$1,000,000 in each of the nine fiscal years thereafter from which he may make grants, contracts, matching, or other arrangements with educational institutions (other than those establishing institutes under title I of this Act), private foundations or other institutions; with private firms and individuals; and with local, State and Federal Government agencies, to undertake research into any aspects of water problems related to the mission of the Department of the Interior, which may be deemed desirable and are not otherwise being studied. The Secretary shall submit each such proposed grant, contract, or other arrangement to the President of the Senate and the Speaker of the House of Representatives, and no appropriation shall be made to finance the same until 60 calendar days (which 60 days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days) after such submission and then only if, within said 60 days, neither the Committee on Interior and Insular Affairs of the House of Representatives nor the Committee on Interior and Insular Affairs of the Senate disapproves the same.

Proposed grants, etc.
Transmittal to Congress.

TITLE III—MISCELLANEOUS PROVISIONS

Cooperation of
Government agen-
cies.

SEC. 300. The Secretary of the Interior shall obtain the continuing advice and cooperation of all agencies of the Federal Government concerned with water problems, of State and local governments, and of private institutions and individuals, to assure that the programs authorized in this Act will supplement and not duplicate established water research programs, to stimulate research in otherwise neglected areas, and to contribute to a comprehensive, nationwide program of water and related resources research. He shall make generally available information and reports on projects completed, in progress, or planned under the provisions of this Act, in addition to any direct publication of information by the institutes themselves.

Availability of
information.

SEC. 301. Nothing in this Act is intended to give or shall be construed as giving the Secretary of the Interior any authority or surveillance over water resources research conducted by any other agency of the Federal Government, or as repealing, superseding, or diminishing existing authorities or responsibilities of any agency of the Federal Government to plan and conduct, contract for, or assist in research in its areas of responsibility and concern with water resources.

SEC. 302. Contracts or other arrangements for water resources work authorized under this Act with an institute, educational institution, or non-profit organization may be undertaken without regard to the provisions of section 3684 of the Revised Statutes (31 U.S.C. 529) when, in the judgment of the Secretary of the Interior, advance payments of initial expense are necessary to facilitate such work.

SEC. 303. No part of any appropriated funds may be expended pursuant to authorization given by this Act for any scientific or technological research or development activity unless such expenditure is conditioned upon provisions determined by the Secretary of the Interior, with the approval of the Attorney General, to be effective to insure that all information, uses, products, processes, patents, and other developments resulting from that activity will (with such exceptions and limitations as the Secretary may determine, after consultation with the Secretary of Defense, to be necessary in the interest of the national defense) be made freely and fully available to the general public. Nothing contained in this section shall deprive the owner of any background patent relating to any such activity of any rights which that owner may have under that patent.

Cataloging
center.

SEC. 304. There shall be established, in such agency and location as the President determines to be desirable, a center for cataloging current and projected scientific research in all fields of water resources. Each Federal agency doing water resources research shall cooperate by providing the cataloging center with information on work underway or scheduled by it. The cataloging center shall classify and maintain for general use a catalog of water resources research and investigation projects in progress or scheduled by all Federal agencies and by such non-Federal agencies of government, colleges, universities, private institutions, firms, and individuals as voluntarily may make such information available.

Agency responsi-
bilities.
Presidential
action.

SEC. 305. The President shall, by such means as he deems appropriate, clarify agency responsibilities for Federal water resources research and provide for interagency coordination of such research, including the research authorized by this Act. Such coordination shall include (a) continuing review of the adequacy of the Government-wide program in water resources research, (b) identification and

elimination of duplication and overlaps between two or more agency programs, (c) identification of technical needs in various water resources research categories, (d) recommendations with respect to allocation of technical effort among the Federal agencies, (e) review of technical manpower needs and findings concerning the technical manpower base of the program, (f) recommendations concerning management policies to improve the quality of the Government-wide research effort, and (g) actions to facilitate interagency communication at management levels.

SEC. 306. As used in this Act, the term "State" includes the Commonwealth of Puerto Rico.

Approved July 17, 1964.

"State."

Public Law 88-380

AN ACT

To amend subsection (b) of section 512 of the Internal Revenue Code of 1954 (dealing with unrelated business taxable income).

July 17, 1964
[H. R. 6455]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 512 of the Internal Revenue Code of 1954 (dealing with unrelated business taxable income) is amended by adding the following new paragraph at the end thereof:

Unrelated business taxable income.

68A Stat. 170;
72 Stat. 80.
26 USC 512.

"(14) In the case of an organization which is described in section 501(c)(5), there shall be excluded all income used to establish, maintain, or operate a retirement home, hospital, or other similar facility for the exclusive use and benefit of the aged and infirm members of such an organization, which is derived from agricultural pursuits conducted on a ground contiguous to the retirement home, hospital, or similar facility and further provided that such income does not provide more than 75 percent of the cost of maintaining and operating the retirement home, hospital, or similar facility; and there shall be excluded all deductions directly connected with such income."

26 USC 501.

SEC. 2. The amendment made by the first section of this Act shall apply with respect to taxable years beginning after December 31, 1963.

Approved July 17, 1964, 1:33 p.m.

Public Law 88-381

AN ACT

Authorizing the Commissioners of the District of Columbia to locate a portion of a vehicular tunnel under parts of the United States Capitol Grounds and the United States Botanic Garden grounds, and for other purposes.

July 21, 1964
[H. R. 10392]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized and directed, in constructing, maintaining, and operating a vehicular tunnel in the city of Washington, District of Columbia, extending from the vicinity of Second and C Streets Southwest, to the vicinity of Third and Constitution Avenue Northwest, as a part of the Innerloop Freeway

D.C.
Vehicular tunnel, location.